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Models of speech composition

LETT

TO

CRAVEN LAYCOCK

DEAN OF THE FACULTY OF DARTMOUTH COLLEGE

THIS VOLUME IS DEDICATED

IN HAPPY MEMORY

OF LEADERSHIP AND FELLOWSHIP

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ACKNOWLEDGMENTS

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To Harvard University Press, for permission to use former Senator Elihu Root's speech on *Invisible Government,* (No. 13 in this volume) from Root's *Addresses on Government and Citizenship.*

To former President Woodrow Wilson, for permission to use his first inaugural address as President of the United States, (No. 32); his address on *Abraham Lincoln,* (No. 38); his speech on *The Meaning of the Declaration of Independence,* (No. 41); his after-dinner speech on *The American College,* (No. 49); and his Phi Beta Kappa address on *The Training of the Intellect,* (No. 95).

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I wish to express most sincere thanks for the kindness shown in allowing the use of all of this material.

J. M. O'Neill.

PREFACE

This book has been prepared in order to make available within the covers of a single volume, complete copies of a number of good examples of each of the principal kinds of public speeches common to American life to-day. It is not offered as a text-book but rather as a case-book. All discussion of the qualities of the speeches, and of the principles and theories of speech composition, has been purposely omitted.[1]

Annotation has been reduced to a minimum. I have cut out of copy used many notes and references, first in order to save space and second in order to refrain from telling the student in advance just what each speech illustrates. I prefer that users of this book shall study the speeches critically and decide for themselves, or, where possible, in consultation with classmates and instructor, what qualities, types, and methods the different speeches represent. The possible harm to be done by the failure of some users to note the weaker phases of some of these speeches, seems trifling (considering the authorship and high quality of all of the speeches) in comparison with the harm that would be done by predigesting each of the speeches in advance.

There seems to be ample warrant for offering such a volume to the public in the fact that at the present time neither students of public speaking in the schools and colleges, nor busy men of affairs, who are called upon to make speeches on all sorts of occasions, can anywhere find a number of good examples of each of the more common types of speeches without considerable research in rather better libraries than are available to most of them. So far as I have been able to discover such a collection as is here presented has never before been attempted. All former single volume collections, and at least the six most widely known sets in many volumes, have had a narrower aim, and have exhibited at least one (in most cases all three) of the following limitations:

(1) Omitting altogether a number of the common types; (2) Offering only a single example of certain types, and (3) offering only fragments of many of the speeches listed.

To the best of my knowledge and belief every one of the ninety-five

[1] The compiler will treat speech composition in a volume to be entitled *"The Principles of Speech Composition."* This is in preparation and will be published in 1922.

speeches included in this volume is given without the omission of a single word.

The classification used is the ancient classical grouping with such alterations as seemed to me to be demanded by modern conditions. It is the most helpful one I can make, and is used for this reason alone with no claim to perfection or finality. Of course certain of these speeches could be listed under a number of the headings used. I have put each one where I thought it fitted best, and hold the reasons for my choice either obvious or unimportant.

Also it is obviously true that most of these speeches will serve as "models" outside of the classification under which they are listed. A sermon may be modeled on a forensic argument or an eulogy; a lecture may be modeled on a legislative argument or an anniversary address. And so on through the whole list; good models are, within limits, negotiable in speech making as in architecture.

The word "models" is deliberately chosen for the title in preference to such words as "specimens" or "examples" because it suggests precisely the purpose for which this collection was compiled—to make available a group of good models for the use of those who may wish to know some good models for their edification and guidance either in estimating the speeches of others or in preparing speeches of their own. These speeches are offered for use as models, in the conviction that they are all good models. Most of them have been praised as masterpieces by many critics and compilers. They have long been separately acclaimed, but never before brought together and made available in one collection.

Of course when I say that each of these speeches is a good model I do not mean to imply that I consider each one perfect. There are a few speeches here which, in my opinion, have minor faults. But all speeches have been chosen because they were thought to be the best available examples of their different types, notwithstanding the fact that I would like some of them better if they were altered somewhat. I have not, however, chosen in any division the best four (for instance) speeches I could find in that division. If the best four were too much alike, I dropped some of them in order to present the best four models—for good speeches that represented different styles or plans. Many excellent speeches were omitted because they represented nothing new in plan or style or method or device. My aim has been to prepare not only the most complete but also the most diversified list of good models that I could get into a single volume of usable size.

Some very famous speeches, and many speeches by very famous orators, were excluded in the beginning because on careful examination

they were held to be inferior. Many of the best known passages of eloquence quoted in the books of declamations will not be found in this book because they are merely cuttings from speeches which taken as a whole are poor. Some are mere fragments of long rambling discussions in court or legislature which took hours and even days to deliver, and which are, as models, not worth including.

Since this volume is prepared for students and public speakers who use the English language, all translations into English of speeches originally delivered in some other language were held inadmissable. I have tried to get in each case exactly what the speaker said, in the exact words in which he said it. I have chosen, wherever possible, copies from stenographic reports in preference to edited manuscripts.

I am greatly indebted to many professional colleagues (literally too numerous to catalogue) for help given in frequent consultations, suggestions, and copies of speeches, which have been generously afforded me during the four years in which I have been at work on this collection.

The University of Wisconsin.

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PART I

FORENSIC

MODELS OF SPEECH COMPOSITION

CHAPTER I

COURT ROOM SPEECHES

§ 1

PROSECUTION IN THE KNAPP-WHITE MURDER CASE

By Daniel Webster

On the morning of April 7, 1830, Joseph White, a respectable and wealthy merchant of Salem, Mass., eighty-two years of age, was found in his bed, murdered.

At a special term of the supreme court held at Salem on the 20th of July, three prisoners were brought to trial, John Francis Knapp as principal, and Joseph J. Knapp and Geo. Crowninshield as accessories. John Francis Knapp, the principal, was first put on trial. He was convicted and hanged. To convict the prisoner, it was necessary to prove that he was present, actually or constructively, as an aider or abettor in the murder. For full statement of case, see Veeder Legal Masterpieces, pp. 505-508.

I am little accustomed, gentlemen, to the part which I am now attempting to perform. Hardly more than once or twice has it happened to me to be concerned on the side of the government in any criminal prosecution whatever, and never, until the present occasion, in any case affecting life. But I very much regret that it should have been thought necessary to suggest to you that I am brought here to "hurry you against the law and beyond the evidence." I hope I have too much regard for justice, and too much respect for my own character, to attempt either; and were I to make such attempt, I am sure that in this court nothing can be carried against the law, and that gentlemen intelligent and just as you are, are not, by any power, to be hurried beyond the evidence. Though I could

Daniel Webster. Born at Salisbury (now Franklin), N. H., January 18, 1782; died at Marshfield, Mass., October 24, 1852; graduated from Dartmouth College, 1801; admitted to the bar in 1805; practised law in Portsmouth, N. H., 1807-1813; Congressman from New Hampshire, 1813-1817; practised law in Boston, 1817-1823; Congressman from Massachusetts, 1823-1827; United States Senator, 1827-1841; Secretary of State, 1841-1843; United States Senator again, 1845-1850; Secretary of State, 1850-1852.

well have wished to shun this occasion, I have not felt at liberty to withhold my professional assistance, when it is supposed that I may be in some degree useful in investigating and discovering the truth respecting this most extraordinary murder. It has seemed to be a duty incumbent on me, as on every other citizen, to do my best and my utmost to bring to light the perpetrators of this crime. Against the prisoner at the bar, as an individual, I cannot have the slightest prejudice. I would not do him the smallest injury or injustice. But I do not affect to be indifferent to the discovery and the punishment of this deep guilt. I cheerfully share in the opprobrium, how great soever it may be, which is cast on those who feel and manifest an anxious concern that all who had a part in planning, or a hand in executing, this deed of midnight assassination, may be brought to answer for their enormous crime at the bar of public justice.

Gentlemen, it is a most extraordinary case. In some respects it has hardly a precedent anywhere; certainly none in our New England history. This bloody drama exhibited no suddenly excited, ungovernable rage. The actors in it were not surprised by any lion-like temptation springing upon their virtue, and overcoming it, before resistance could begin. Nor did they do the deed to glut savage vengeance, or satiate long-settled and deadly hate. It was a cool, calculating, money-making murder. It was all "hire and salary, not revenge." It was the weighing of money against life; the counting out of so many pieces of silver against so many ounces of blood.

An aged man, without an enemy in the world, in his own house, and in his own bed, is made the victim of a butcherly murder for mere pay. Truly, here is a new lesson for painters and poets. Whosoever shall hereafter draw the portrait of murder, if he will show it as it has been exhibited where such example was last to have been looked for,—in the very bosom of our New England society,—let him not give it the grim visage of Moloch, the brow knitted by revenge, the face black with settled hate, and the bloodshot eye emitting livid fires of malice. Let him draw, rather, a decorous, smooth-faced, bloodless demon; a picture in repose, rather than in action; not so much an example of human nature in its depravity, and in its paroxysms of crime, as an infernal being, a fiend, in the ordinary display and development of his character.

The deed was executed with a degree of self-possession and steadiness equal to the wickedness with which it was planned. The circumstances now clearly in evidence spread out the whole scene before us. Deep sleep had fallen on the destined victim, and on all beneath his roof. A healthful old man, to whom sleep was sweet, the first sound slumbers of the night held him in their soft but strong embrace. The assassin enters, through the window already prepared, into an unoccupied apartment. With noise-

less foot he paces the lonely hall, half lighted by the moon. He winds up the ascent of the stairs, and reaches the door of the chamber. Of this he moves the lock, by soft and continued pressure, till it turns on its hinges without noise, and he enters, and beholds his victim before him. The room is uncommonly open to the admission of light. The face of the innocent sleeper is turned from the murderer, and the beams of the moon, resting on the gray locks of his aged temple, show him where to strike. The fatal blow is given, and the victim passes, without a struggle or a motion, from the repose of sleep to the repose of death! It is the assassin's purpose to make sure work; and he plies the dagger, though it is obvious that life has been destroyed by the blow of the bludgeon. He even raises the aged arm, that he may not fail in his aim at the heart, and replaces it again over the wounds of the poniard! To finish the picture, he explores the wrist for the pulse! He feels for it, and ascertains that it beats no longer! It is accomplished. The deed is done. He retreats, retraces his steps to the window, passes out through it as he came in, and escapes. He has done the murder. No eye has seen him; no ear has heard him. The secret is his own, and it is safe! Ah, gentlemen, that was a dreadful mistake! Such a secret can be safe nowhere. The whole creation of God has neither nook nor corner where the guilty can bestow it and say it is safe. Not to speak of the eye which pierces through all disguises, and beholds everything as in the splendor of noon, such secrets of guilt are never safe from detection, even by men. True it is, generally speaking, that "murder will out." True it is that Providence hath so ordained, and doth so govern things, that those who break the great law of Heaven by shedding man's blood seldom succeed in avoiding discovery. Especially in a case exciting so much attention as this, discovery must come, and will come, sooner or later. A thousand eyes turn at once to explore every man, every thing, every circumstance connected with the time and place; a thousand ears catch every whisper; a thousand excited minds intensely dwell on the scene, shedding all their light, and ready to kindle the slightest circumstance into a blaze of discovery. Meantime the guilty soul cannot keep its own secret. It is false to itself, or, rather, it feels an irresistible impulse of conscience to be true to itself. It labors under its guilty possession, and knows not what to do with it. The human heart was not made for the residence of such an inhabitant. It finds itself preyed on by a torment which it dares not acknowledge to God or man. A vulture is devouring it, and it can ask no sympathy or assistance, either from heaven or earth. The secret which the murderer possesses soon comes to possess him, and, like the evil spirits of which we read, it overcomes him, and leads him whithersoever it will. He feels it beating at his heart, rising to his throat, and

demanding disclosure. He thinks the whole world sees it in his face, reads it in his eyes, and almost hears its workings in the very silence of his thoughts. It has become his master. It betrays his discretion, it breaks down his courage, it conquers his prudence. When suspicions from without begin to embarrass him, and the net of circumstance to entangle him, the fatal secret struggles with still greater violence to burst forth. It must be confessed, it will be confessed; there is no refuge from confession but suicide, and suicide is confession.

Much has been said, on this occasion, of the excitement which has existed and still exists, and of the extraordinary measures taken to discover and punish the guilty. No doubt there has been, and is, much excitement, and strange, indeed, it would be had it been otherwise. Should not all the peaceable and well-disposed naturally feel concerned, and naturally exert themselves to bring to punishment the authors of this secret assassination? Was it a thing to be slept upon or forgotten? Did you, gentlemen, sleep quite as quietly in your beds after this murder as before? Was it not a case for rewards, for meetings, for committees, for the united efforts of all the good to find out a band of murderous conspirators, of midnight ruffians, and to bring them to the bar of justice and law? If this be excitement, is it an unnatural or an improper excitement?

It seems to me, gentlemen, that there are appearances of another feeling, of a very different nature and character, not very extensive, I would hope, but still there is too much evidence of its existence. Such is human nature that some persons lose their abhorrence of crime in their admiration of its magnificent exhibitions. Ordinary vice is reprobated by them; but extraordinary guilt, exquisite wickedness, the high flights and poetry of crime seize on the imagination, and lead them to forget the depths of the guilt in admiration of the excellence of the performance, or the unequaled atrocity of the purpose. There are those in our day who have made great use of this infirmity of our nature, and by means of it done infinite injury to the cause of good morals. They have affected not only the taste, but I fear also the principles, of the young, the heedless, and the imaginative, by the exhibition of interesting and beautiful monsters. They render depravity attractive, sometimes by the polish of its manners, and sometimes by its very extravagance, and study to show off crime under all the advantages of cleverness and dexterity. Gentlemen, this is an extraordinary murder, but it is still a murder. We are not to lose ourselves in wonder at its origin, or in gazing on its cool and skilful execution. We are to detect and to punish it; and while we proceed with caution against the prisoner, and are to be sure that we do not visit on his head the offenses of others, we are yet to consider that we are dealing with a case of most atrocious crime, which has not the slightest cir-

cumstance about it to soften its enormity. It is murder; deliberate, concerted, malicious murder. Although the interest of this case may have diminished by the repeated investigation of the facts, still the additional labor which it imposes upon all concerned is not to be regretted if it should result in removing all doubts of the guilt of the prisoner.

The learned counsel for the prisoner has said truly that it is your individual duty to judge the prisoner; that it is your individual duty to determine his guilt or innocence; and that you are to weigh the testimony with candor and fairness. But much, at the same time, has been said, which, although it would seem to have no distinct bearing on the trial, cannot be passed over without some notice. A tone of complaint so peculiar has been indulged as would almost lead us to doubt whether the prisoner at the bar, or the managers of this prosecution, are now on trial. Great pains have been taken to complain of the manner of the prosecution. We hear of getting up a case; of setting in motion trains of machinery; of foul testimony; of combinations to overwhelm the prisoner; of private prosecutors; that the prisoner is hunted, persecuted, driven to his trial; that everybody is against him; and various other complaints, as if those who would bring to punishment the authors of this murder were almost as bad as they who committed it. In the course of my whole life, I have never heard before so much said about the particular counsel who happen to be employed; as if it were extraordinary that other counsel than the usual officers of the government should assist in the management of a case on the part of the government. In one of the last criminal trials in this county, that of Jackman for the "Goodridge robbery" (so called), I remember that the learned head of the Suffolk bar, Mr. Prescott, came down in aid of the officers of the government. This was regarded as neither strange nor improper. The counsel for the prisoner in that case contented themselves with answering his arguments, as far as they were able, instead of carping at his presence.

Complaint is made that rewards were offered in this case, and temptations held out, to obtain testimony. Are not rewards always offered when great and secret offenses are committed? Rewards were offered in the case to which I have alluded, and every other means taken to discover the offenders that ingenuity or the most persevering vigilance could suggest. The learned counsel have suffered their zeal to lead them into a strain of complaint at the manner in which the perpetrators of this crime were detected, almost indicating that they regard it as a positive injury to them to have found out their guilt. Since no man witnessed it, since they do not now confess it, attempts to discover it are half esteemed as officious intermeddling and impertinent inquiry. It is said that here even a committee of vigilance was appointed. This is a subject of

reiterated remark. This committee are pointed at as though they had been officiously intermeddling with the administration of justice. They are said to have been "laboring for months" against the prisoner. Gentlemen, what must we do in such a case? Are people to be dumb and still, through fear of overdoing? Is it come to this: that an effort cannot be made, a hand cannot be lifted, to discover the guilty, without its being said there is a combination to overwhelm innocence? Has the community lost all moral sense? Certainly, a community that would not be roused to action upon an occasion such as this was—a community which should not deny sleep to their eyes, and slumber to their eyelids, till they had exhausted all the means of discovery and detection—must indeed be lost to all moral sense, and would scarcely deserve protection from the laws. The learned counsel have endeavored to persuade you that there exists a prejudice against the persons accused of this murder. They would have you understand that it is not confined to this vicinity alone, but that even the legislature have caught this spirit; that, through the procurement of the gentleman here styled "private prosecutor," who is a member of the senate, a special session of this court was appointed for the trial of these offenders; that the ordinary movements of the wheels of justice were too slow for the purposes devised. But does not everybody see and know that it was matter of absolute necessity to have a special session of the court? When or how could the prisoners have been tried without a special session? In the ordinary arrangement of the courts, but one week in a year is allotted for the whole court to sit in this county. In the trial of all capital offenses, a majority of the court, at least, is required to be present. In the trial of the present case alone, three weeks have already been taken up. Without such special session, then, three years would not have been sufficient for the purpose. It is answer sufficient to all complaints on this subject to say that the law was drawn by the late chief justice himself, to enable the court to accomplish its duties, and to afford the persons accused an opportunity for trial without delay.

Again, it is said that it was not thought of making Francis Knapp, the prisoner at the bar, a principal till after the death of Richard Crowninshield, Jr.; that the present indictment is an afterthought; that "testimony was got up" for the occasion. It is not so. There is no authority for this suggestion. The case of the Knapps had not then been before the grand jury. The officers of the government did not know what the testimony would be against them. They could not, therefore, have determined what course they should pursue. They intended to arraign all as principals who should appear to have been principals, and all as

accessories who should appear to have been accessories. All this could be known only when the evidence should be produced.

But the learned counsel for the defendant take a somewhat loftier flight still. They are more concerned, they assure us, for the law itself, than even for their client. Your decision in this case, they say, will stand as a precedent. Gentlemen, we hope it will. We hope it will be a precedent both of candor and intelligence, of fairness and of firmness; a precedent of good sense and honest purpose pursuing their investigation discreetly, rejecting loose generalities, exploring all the circumstances, weighing each, in search of truth, and embracing and declaring the truth when found. It is said that "laws are made, not for the punishment of the guilty, but for the protection of the innocent." This is not quite accurate, perhaps, but, if so, we hope they will be so administered as to give that protection. But who are the innocent whom the law would protect? Gentlemen, Joseph White was innocent. They are innocent who, having lived in the fear of God through the day, wish to sleep in His peace through the night, in their own beds. The law is established that those who live quietly may sleep quietly; that they who do no harm may feel none. The gentleman can think of none that are innocent except the prisoner at the bar, not yet convicted. Is a proved conspirator to murder innocent? Are the Crowninshields and the Knapps innocent? What is innocence? How deep stained with blood, how reckless in crime, how deep in depravity may it be, and yet retain innocence? The law is made, if we would speak with entire accuracy, to protect the innocent by punishing the guilty. But there are those innocent out of a court, as well as in; innocent citizens not suspected of crime, as well as innocent prisoners at the bar.

The criminal law is not founded in a principle of vengeance. It does not punish that it may inflict suffering. The humanity of the law feels and regrets every pain it causes, every hour of restraint it imposes, and, more deeply still, every life it forfeits. But it uses evil as the means of preventing greater evil. It seeks to deter from crime by the example of punishment. This is its true, and only true, main object. It restrains the liberty of the few offenders, that the many who do not offend may enjoy their liberty. It takes the life of the murderer, that other murders may not be committed. The law might open the jails, and at once set free all persons accused of offenses, and it ought to do so if it could be made certain that no other offenses would hereafter be committed; because it punishes, not to satisfy any desire to inflict pain, but simply to prevent the repetition of crimes. When the guilty, therefore, are not punished, the law has so far failed of its purpose; the safety of the innocent is so far endangered. Every unpunished murder takes away some-

thing from the security of every man's life. Whenever a jury, through whimsical and ill-founded scruples, suffer the guilty to escape, they make themselves answerable for the augmented danger of the innocent.

We wish nothing to be strained against this defendant. Why, then, all this alarm? Why all this complaint against the manner in which the crime is discovered? The prisoner's counsel catch at supposed flaws of evidence, or bad character of witnesses, without meeting the case. Do they mean to deny the conspiracy? Do they mean to deny that the two Crowninshields and the two Knapps were conspirators? Why do they rail against Palmer, while they do not disprove, and hardly dispute, the truth of any one fact sworn to by him? Instead of this, it is made matter of sentimentality that Palmer has been prevailed upon to betray his bosom companions, and to violate the sanctity of friendship. Again I ask, why do they not meet the case? If the fact is out, why not meet it? Do they mean to deny that Captain White is dead? One would have almost supposed even that, from some remarks that have been made. Do they mean to deny the conspiracy? Or, admitting a conspiracy, do they mean to deny only that Frank Knapp, the prisoner at the bar, was abetting in the murder, being present, and so deny that he was a principal? If a conspiracy is proved, it bears closely upon every subsequent subject of inquiry. Why do they not come to the fact? Here the defense is wholly indistinct. The counsel neither take the ground nor abandon it. They neither fly nor light,—they hover. But they must come to a closer mode of contest. They must meet the facts, and either deny or admit them. Had the prisoner at the bar, then, a knowledge of this conspiracy or not? This is the question. Instead of laying out their strength in complaining of the manner in which the deed is discovered, of the extraordinary pains taken to bring the prisoner's guilt to light, would it not be better to show there was no guilt? Would it not be better to show his innocence? They say, and they complain, that the community feel a great desire that he should be punished for his crimes. Would it not be better to convince you that he has committed no crime?

Gentlemen, let us now come to the case. Your first inquiry on the evidence will be, was Captain White murdered in pursuance of a conspiracy, and was the defendant one of this conspiracy? If so, the second inquiry is, was he so connected with the murder itself as that he is liable to be convicted as a principal? The defendant is indicted as a principal. If not guilty as such, you cannot convict him. The indictment contains three distinct classes of counts. In the first, he is charged as having done the deed with his own hand; in the second, as an aider and abettor to Richard Crowinshield, Jr., who did the deed; in the third, as an aider and abettor to some person unknown. If you believe him guilty on either

of these counts, or in either of these ways, you must convict him. It may be proper to say, as a preliminary remark, that there are two extraordinary circumstances attending this trial. One is that Richard Crowninshield, Jr., the supposed immediate perpetrator of the murder, since his arrest, has committed suicide. He has gone to answer before a tribunal of perfect infallibility. The other is that Joseph Knapp, the supposed originator and planner of the murder, having once made a full disclosure of the facts under a promise of indemnity, is, nevertheless, not now a witness. Notwithstanding his disclosure and his promise of indemnity, he now refuses to testify. He chooses to return to his original state, and now stands answerable himself when the time shall come for his trial. These circumstances it is fit you should remember in your investigation of the case. Your decision may affect more than the life of this defendant. If he be not convicted as principal, no one can be. Nor can anyone be convicted of a participation in the crime as accessory. The Knapps and George Crowninshield will be again on the community. This shows the importance of the duty you have to perform, and serves to remind you of the care and wisdom necessary to be exercised in its performance. But certainly these considerations do not render the prisoner's guilt any clearer, nor enhance the weight of the evidence against him. No one desires you to regard consequences in that light. No one wishes anything to be strained or too far pressed against the prisoner. Still, it is fit you should see the full importance of the duty which devolves upon you.

And now, gentlemen, in examining this evidence, let us begin at the beginning, and see, first, what we know independent of the disputed testimony. This is a case of circumstantial evidence; and these circumstances, we think, are full and satisfactory. The case mainly depends upon them, and it is common that offenses of this kind must be proved in this way. Midnight assassins take no witnesses. The evidence of the facts relied on has been somewhat sneeringly denominated by the learned counsel "circumstantial stuff," but it is not such stuff as dreams are made of. Why does he not rend this stuff? Why does he not scatter it to the winds? He dismisses it a little too summarily. It shall be my business to examine this stuff, and try its cohesion. The letter from Palmer at Belfast, is that no more than flimsy stuff? The fabricated letters from Knapp to the committee and to Mr. White, are they nothing but stuff? The circumstance that the housekeeper was away at the time the murder was committed, as it was agreed she should be, is that, too, a useless piece of the same stuff? The facts that the key of the chamber door was taken out and secreted, that the window was unbarred and unbolted, are these to be so slightly and so easily disposed of?

It is necessary, gentlemen, to settle now, at the commencement, the great question of a conspiracy. If there was none, or the defendant was not a party, then there is no evidence here to convict him. If there was a conspiracy, and he is proved to have been a party, then these two facts have a strong bearing on others, and all the great points of inquiry. The defendant's counsel take no distinct ground, as I have already said, on this point, either to admit or to deny. They choose to confine themselves to a hypothetical mode of speech. They say, supposing there was a conspiracy, *non sequitur* that the prisoner is guilty as principal. Be it so. But still, if there was a conspiracy, and if he was a conspirator, and helped to plan the murder, this may shed much light on the evidence which goes to charge him with the execution of that plan. We mean to make out the conspiracy, and that the defendant was a party to it, and then to draw all just inferences from these facts. Let me ask your attention, then, in the first place, to those appearances, on the morning after the murder, which have a tendency to show that it was done in pursuance of a preconcerted plan of operation. What are they? A man was found murdered in his bed. No stranger had done the deed; no one unacquainted with the house had done it. It was apparent that somebody within had opened, and that somebody without had entered. There had obviously and certainly been concert and coöperation. The inmates of the house were not alarmed when the murder was perpetrated. The assassin had entered without any riot or any violence. He had found the way prepared before him. The house had been previously opened. The window was unbarred from within, and its fastening unscrewed. There was a lock on the door of the chamber in which Mr. White slept, but the key was gone. It had been taken away and secreted. The footsteps of the murderer were visible, out doors, tending towards the window. The plank by which he entered the window still remained. The road he pursued had been thus prepared for him. The victim was slain, and the murderer had escaped. Everything indicated that somebody within had coöperated with somebody without. Everything proclaimed that some of the inmates, or somebody having access to the house, had had a hand in the murder. On the face of the circumstances, it was apparent, therefore, that this was a premeditated, concerted murder; that there had been a conspiracy to commit it. Who, then, were the conspirators? If not now found out, we are still groping in the dark, and the whole tragedy is still a mystery. If the Knapps and the Crowninshields were not the conspirators in this murder, then there is a whole set of conspirators not yet discovered. Because, independent of the testimony of Palmer and Leighton, independent of all disputed evidence, we know, from uncontroverted facts, that this murder was, and must have

been, the result of concert and coöperation between two or more. We know it was not done without plan and deliberation. We see that whoever entered the house to strike the blow was favored and aided by someone who had been previously in the house, without suspicion, and who had prepared the way. This is concert; this is coöperation; this is conspiracy. If the Knapps and the Crowninshields, then, were not the conspirators, who were? Joseph Knapp had a motive to desire the death of Mr. White, and that motive has been shown. He was connected by marriage with the family of Mr. White. His wife was the daughter of Mrs. Beckford, who was the only child of a sister of the deceased. The deceased was more than eighty years old, and had no children. His only heirs were nephews and nieces. He was supposed to be possessed of a very large fortune, which would have descended, by law, to his several nephews and nieces in equal shares, or, if there was a will, then according to the will; but as he had but two branches of heirs,—the children of his brother, Henry White, and of Mrs. Beckford,—each of these branches, according to the common idea, would have shared one-half of his property. This popular idea is not legally correct; but it is common, and very probably was entertained by the parties. According to this idea, Mrs. Beckford, on Mr. White's death without a will, would have been entitled to one-half of his ample fortune, and Joseph Knapp had married one of her three children. There was a will, and this will gave the bulk of the property to others; and we learn from Palmer that one part of the design was to destroy the will before the murder was committed. There had been a previous will, and that previous will was known or believed to have been more favorable than the other to the Beckford family; so that, by destroying the last will, and destroying the life of the testator at the same time, either the first and more favorable will would be set up, or the deceased would have no will, which would be, as was supposed, still more favorable. But the conspirators not having succeeded in obtaining and destroying the last will, though they accomplished the murder, that will being found in existence and safe, and that will bequeathing the mass of the property to others, it seemed at the time impossible for Joseph Knapp, as for anyone else, indeed, but the principal devisee, to have any motive which should lead to the murder. The key which unlocks the whole mystery is the knowledge of the intention of the conspirators to steal the will. This is derived from Palmer, and it explains all. It solves the whole marvel. It shows the motive which actuated those against whom there is much evidence, but who, without the knowledge of this intention, were not seen to have had a motive. This intention is proved, as I have said, by Palmer; and it is so congruous with all the rest of the case—it agrees so well with all

facts and circumstances—that no man could well withhold his belief, though the facts were stated by a still less credible witness. If one desirous of opening a lock turns over and tries a bunch of keys till he finds one that will open it, he naturally supposes he has found the key of that lock. So, in explaining circumstances of evidence which are apparently irreconcilable or unaccountable, if a fact be suggested which at once accounts for all, and reconciles all, by whomsoever it may be stated, it is still difficult not to believe that such fact is the true fact belonging to the case. In this respect, Palmer's testimony is singularly confirmed. If it were false, his ingenuity could not furnish us such clear exposition of strange appearing circumstances. Some truth not before known can alone do that.

When we look back, then, to the state of things immediately on the discovery of the murder, we see that suspicion would naturally turn at once, not to the heirs at law, but to those principally benefited by the will. They, and they alone, would be supposed or seem to have a direct object for wishing Mr. White's life to be terminated. And, strange as it may seem, we find counsel now insisting that, if no apology, it is yet mitigation of the atrocity of the Knapps' conduct in attempting to charge this foul murder on Mr. White, the nephew and principal devisee, that public suspicion was already so directed! As if assassination of character were excusable in proportion as circumstances may render it easy! Their endeavors, when they knew they were suspected themselves, to fix the charge on others, by foul means and by falsehood, are fair and strong proof of their own guilt. But more of that hereafter.

The counsel say that they might safely admit that Richard Crowninshield, Jr., was the perpetrator of this murder. But how could they safely admit that? If that were admitted, everything else would follow. For why should Richard Crowninshield, Jr., kill Mr. White? He was not his heir nor his devisee; nor was he his enemy. What could be his motive? If Richard Crowninshield, Jr., killed Mr. White, he did it at someone's procurement, who himself had a motive; and who, having any motive, is shown to have had any intercourse with Richard Crowninshield, Jr., but Joseph Knapp, and this principally through the agency of the prisoner at the bar? It is the infirmity, the distressing difficulty, of the prisoner's case, that his counsel cannot and dare not admit what they yet cannot disprove, and what all must believe. He who believes, on this evidence, that Richard Crowninshield, Jr., was the immediate murderer, cannot doubt that both the Knapps were conspirators in that murder. The counsel, therefore, are wrong, I think, in saying they might safely admit this. The admission of so important and so connected a fact would render it impossible to contend further against the

proof of the entire conspiracy, as we state it. What, then, was this conspiracy? J. J. Knapp, Jr., desirous of destroying the will, and of taking the life of the deceased, hired a ruffian, who, with the aid of other ruffians, was to enter the house, and murder him in his bed. As far back as January this conspiracy began. Endicott testifies to a conversation with J. J. Knapp at that time, in which Knapp told him that Captain White had made a will, and given the principal part of his property to Stephen White. When asked how he knew, he said: "Black and white don't lie." When asked if the will was not locked up, he said: "There is such a thing as two keys to the same lock." And, speaking of the then late illness of Captain White, he said that Stephen White would not have been sent for if he had been there. Hence it appears that, as early as January, Knapp had a knowledge of the will, and that he had access to it by means of false keys. This knowledge of the will, and an intent to destroy it, appear also from Palmer's testimony,—a fact disclosed to him by the other conspirators. He says that he was informed of this by the Crowninshields on the 2d of April. But then it is said that Palmer is not to be credited; that, by his own confession, he is a felon; that he has been in the state prison in Maine; and, above all, that he was intimately associated with these conspirators themselves. Let us admit these facts; let us admit him to be as bad as they would represent him to be; still, in law, he is a competent witness. How else are the secret designs of the wicked to be proved but by their wicked companions, to whom they have disclosed them? The government does not select its witnesses. The conspirators themselves have chosen Palmer. He was the confidant of the prisoners. The fact, however, does not depend on his testimony alone. It is corroborated by other proof, and, taken in connection with the other circumstances, it has strong probability. In regard to the testimony of Palmer, generally, it may be said that it is less contradicted, in all parts of it, either by himself or others, than that of any other material witness, and that everything he has told is corroborated by other evidence, so far as it is susceptible of confirmation. An attempt has been made to impair his testimony as to his being at the Halfway House on the night of the murder; you have seen with what success. Mr. Babb is called to contradict him. You have seen how little he knows, and even that not certainly; for he himself is proved to have been in an error by supposing Palmer to have been at the Halfway House on the evening of the 9th of April. At that time he is proved to have been at Dustin's, in Danvers. If, then, Palmer, bad as he is, has disclosed the secrets of the conspiracy, and has told the truth, there is no reason why it should not be believed. Truth is truth, come whence it may.

The facts show that this murder had been long in agitation; that it was not a new proposition on the 2d of April; that it had been contemplated for five or six weeks. Richard Crowninshield was at Wenham in the latter part of March, as testified by Starrett. Frank Knapp was at Danvers in the latter part of February, as testified by Allen. Richard Crowninshield inquired whether Captain Knapp was about home when at Wenham. The probability is that they would open the case to Palmer as a new project. There are other circumstances that show it to have been some weeks in agitation. Palmer's testimony as to the transaction on the 2d of April is corroborated by Allen, and by Osborn's books. He says that Frank Knapp came there in the afternoon, and again in the evening. So the book shows. He says that Captain White had gone out to his farm on that day. So others prove. How could this fact, or these facts, have been known to Palmer, unless Frank Knapp had brought the knowledge? And was it not the special object of this visit to give information of this fact, that they might meet him and execute their purpose on his return from his farm? The letter of Palmer, written at Belfast, bears intrinsic marks of genuineness. It was mailed at Belfast May 13th. It states facts that he could not have known unless his testimony be true. This letter was not an afterthought; it is a genuine narrative. In fact, it says: "I know the business your brother Frank was transacting on the 2d of April." How could he have possibly known this unless he had been there? The "one thousand dollars that was to be paid,"—where could he have obtained this knowledge? The testimony of Endicott, of Palmer, and these facts are to be taken together; and they most clearly show that the death of Captain White was caused by somebody interested in putting an end to his life.

As to the testimony of Leighton, as far as manner of testifying goes, he is a bad witness; but it does not follow from this that he is not to be believed. There are some strange things about him. It is strange that he should make up a story against Captain Knapp, the person with whom he lived; that he never voluntarily told anything,—all that he has said was screwed out of him. But the story could not have been invented by him; his character for truth is unimpeached; and he intimated to another witness, soon after the murder happened, that he knew something he should not tell. There is not the least contradiction in his testimony, though he gives a poor account of withholding it. He says that he was extremely bothered by those who questioned him. In the main story that he relates he is entirely consistent with himself. Some things are for him, and some against him. Examine the intrinsic probability of what he says. See if some allowance is not to be made for him on account of his ignorance of things of this kind. It is said

to be extraordinary that he should have heard just so much of the conversation, and no more; that he should have heard just what was necessary to be proved, and nothing else. Admit that this is extraordinary; still, this does not prove it untrue. It is extraordinary that you twelve gentlemen should be called upon, out of all the men in the county, to decide this case. No one could have foretold this three weeks since. It is extraordinary that the first clue to this conspiracy should have been derived from information given by the father of the prisoner at the bar. And in every case that comes to trial there are many things extraordinary. The murder itself is a most extraordinary one; but still we do not doubt its reality.

It is argued that this conversation between Joseph and Frank could not have been as Leighton has testified, because they had been together for several hours before; this subject must have been uppermost in their minds, whereas this appears to have been the commencement of their conversation upon it. Now this depends altogether upon the tone and manner of the expression; upon the particular word in the sentence which was emphatically spoken. If he had said, "When did you *see* Dick, Frank?" this would not seem to be the beginning of the conversation. With what emphasis it was uttered it is not possible to learn, and therefore nothing can be made of this argument. If this boy's testimony stood alone, it should be received with caution. And the same may be said of the testimony of Palmer. But they do not stand alone. They furnish a clue to numerous other circumstances, which, when known, mutually confirm what would have been received with caution without such corroboration. How could Leighton have made up this conversation? "When did you see Dick? I saw him this morning. When is he going to kill the old man? I don't know. Tell him, if he don't do it soon, I won't pay him." Here is a vast amount in a few words. Had he wit enough to invent this? There is nothing so powerful as truth, and often nothing so strange. It is not even suggested that the story was made for him. There is nothing so extraordinary in the whole matter as it would have been for this ignorant country boy to invent this story.

The acts of the parties themselves furnish strong presumption of their guilt. What was done on the receipt of the letter from Maine? This letter was signed by Charles Grant, Jr., a person not known to either of the Knapps, nor was it known to them that any other person besides the Crowninshields knew of the conspiracy. This letter, by the accidental omission of the word "Jr.," fell into the hands of the father, when intended for the son. The father carried it to Wenham, where both the sons were. They both read it. Fix your eyes steadily on this

part of the "circumstantial stuff" which is in the case, and see what can be made of it. This was shown to the two brothers on Saturday, the 15th of May. Neither of them knew Palmer, and, if they had known him, they could not have known him to have been the writer of this letter. It was mysterious to them how anyone at Belfast could have had knowledge of this affair. Their conscious guilt prevented due circumspection. They did not see the bearing of its publication. They advised their father to carry it to the committee of vigilance, and it was so carried. On the Sunday following, Joseph began to think there might be something in it. Perhaps, in the meantime, he had seen one of the Crowninshields. He was apprehensive that they might be suspected. He was anxious to turn attention from their family. What course did he adopt to effect this? He addressed one letter, with a false name, to Mr. White, and another to the committee, and, to complete the climax of his folly, he signed the letter addressed to the committee, "Grant," the same name as that which was signed to the letter received from Belfast. It was in the knowledge of the committee that no person but the Knapps had seen this letter from Belfast, and that no other person knew its signature. It therefore must have been irresistibly plain to them that one of the Knapps was the writer of the letter received by the committee, charging the murder on Mr. White. Add to this the fact of its having been dated at Lynn, and mailed at Salem four days after it was dated, and who could doubt respecting it? Have you ever read or known of folly equal to this? Can you conceive of crime more odious and abominable? Merely to explain the apparent mysteries of the letter from Palmer, they excite the basest suspicions against a man whom, if they were innocent, they had no reason to believe guilty, and whom, if they were guilty, they most certainly knew to be innocent. Could they have adopted a more direct method of exposing their own infamy? The letter to the committee has intrinsic marks of a knowledge of this transaction. It tells the time and the manner in which the murder was committed. Every line speaks the writer's condemnation. In attempting to divert attention from his family, and to charge the guilt upon another, he indelibly fixes it upon himself. Joseph Knapp requested Allen to put these letters into the post office, because, said he, "I wish to nip this silly affair in the bud." If this were not the order of an overruling Providence, I should say that it was the silliest piece of folly that was ever practised. Mark the destiny of crime. It is ever obliged to resort to subterfuges; it trembles in the broad light; it betrays itself in seeking concealment. He alone walks safely who walks uprightly. Who for a moment can read these letters and doubt of Joseph Knapp's guilt? The constitution of nature is made to inform against him. There is no corner dark

enough to conceal him. There is no turnpike road broad enough or smooth enough for a man so guilty to walk in without stumbling. Every step proclaims his secret to every passenger. His own acts come out to fix his guilt. In attempting to charge another with his own crime, he writes his own confession. To do away the effect of Palmer's letter, signed "Grant," he writes a letter himself, and affixes to it the name of Grant. He writes in a disguised hand. But how could it happen that the same Grant should be in Salem that was at Belfast? This has brought the whole thing out. Evidently he did it, because he has adopted the same style. Evidently he did it, because he speaks of the price of blood, and of other circumstances connected with the murder, that no one but a conspirator could have known.

Palmer says he made a visit to the Crowninshields on the 9th of April. George then asked him whether he had heard of the murder. Richard inquired whether he had heard the music at Salem. They said that they were suspected, that a committee had been appointed to search houses, and that they had melted up the dagger the day after the murder, because it would be a suspicious circumstance to have it found in their possession. Now, this committee was not appointed, in fact, until Friday evening. But this proves nothing against Palmer; it does not prove that George did not tell him so; it only proves that he gave a false reason for a fact. They had heard that they were suspected. How could they have heard this unless it were from the whisperings of their own consciences? Surely this rumor was not then public.

About the 27th of April, another attempt was made by the Knapps to give a direction to public suspicion. They reported themselves to have been robbed, in passing from Salem to Wenham, near Wenham pond. They came to Salem and stated the particulars of the adventure. They described persons, their dress, size, and appearance, who had been suspected of the murder. They would have it understood that the community was infested by a band of ruffians, and that they themselves were the particular objects of their vengeance. Now, this turns out to be all fictitious, all false. Can you conceive of anything more enormous —any wickedness greater—than the circulation of such reports? than the allegation of crimes, if committed, capital? If no such crime had been committed, then it reacts with double force upon themselves, and goes very far to show their guilt. How did they conduct themselves on this occasion? Did they make hue and cry? Did they give information that they had been assaulted that night at Wenham? No such thing. They rested quietly that night; they waited to be called on for the particulars of their adventure; they made no attempt to arrest the offenders,—this was not their object. They were content to fill the thou-

sand mouths of rumor, to spread abroad false reports, to divert the attention of the public from themselves; for they thought every man suspected them, because they knew they ought to be suspected.

The manner in which the compensation for this murder was paid is a circumstance worthy of consideration. By examining the facts and dates it will satisfactorily appear that Joseph Knapp paid a sum of money to Richard Crowninshield, in five-franc pieces, on the 24th of April. On the 21st of April, Joseph Knapp received five hundred five-franc pieces as the proceeds of an adventure at sea. The remainder of this species of currency that came home in the vessel was deposited in a bank at Salem. On Saturday, the 24th of April, Frank and Richard rode to Wenham. They were there with Joseph an hour or more, and appeared to be negotiating private business. Richard continued in the chaise. Joseph came to the chaise and conversed with him. These facts are proved by Hart and Leighton, and by Osborn's books. On Saturday evening, about this time, Richard Crowninshield is proved, by Lummus, to have been at Wenham with another person, whose appearance corresponds with Frank's. Can anyone doubt this being the same evening? What had Richard Crowninshield to do at Wenham with Joseph, unless it were this business? He was there before the murder; he was there after the murder; he was there clandestinely, unwilling to be seen. If it were not upon this business, let it be told what it was for. Joseph Knapp could explain it. Frank Knapp might explain it. But they do not explain it, and the inference is against them. Immediately after this, Richard passes five-franc pieces,—on the same evening, one to Lummus, five to Palmer,—and, near this time, George passes three or four in Salem. Here are nine of these pieces passed by them in four days. This is extraordinary. It is an unusual currency. In ordinary business, few men would pass nine such pieces in the course of a year. If they were not received in this way, why not explain how they came by them? Money was not so flush in their pockets that they could not tell whence it came, if it honestly came there. It is extremely important to them to explain whence this money came, and they would do it if they could. If, then, the price of blood was paid at this time, in the presence and with the knowledge of this defendant, does not this prove him to have been connected with this conspiracy?

Observe, also, the effect on the mind of Richard of Palmer's being arrested and committed to prison; the various efforts he makes to discover the fact; the lowering, through the crevices of the rock, the pencil and paper for him to write upon; the sending two lines of poetry, with the request that he would return the corresponding lines; the shrill and peculiar whistle; the inimitable exclamations of "Palmer! Palmer!

Palmer!" All these things prove how great was his alarm. They corroborate Palmer's story, and tend to establish the conspiracy.

Joseph Knapp had a part to act in this matter. He must have opened the window, and secreted the key. He had free access to every part of the house; he was accustomed to visit there; he went in and out at his pleasure; he could do this without being suspected. He is proved to have been there the Saturday preceding.

If all these things, taken in connection, do not prove that Captain White was murdered in pursuance of a conspiracy, then the case is at an end.

Savary's testimony is wholly unexpected. He was called for a different purpose. When asked who the person was that he saw come out of Captain White's yard between three and four o'clock in the morning, he answered Frank Knapp. It is not clear that this is not true. There may be many circumstances of importance connected with this, though we believe the murder to have been committed between ten and eleven o'clock. The letter to Dr. Barstow states it to have been done about eleven o'clock; it states it to have been done with a blow on the head, from a weapon loaded with lead. Here is too great a correspondence with the reality not to have some meaning in it. Dr. Peirson was always of the opinion that the two classes of wounds were made with different instruments, and by different hands. It is possible that one class was inflicted at one time, and the other at another. It is possible that, on the last visit, the pulse might not have entirely ceased to beat, and then the finishing stroke was given. It is said that, when the body was discovered, some of the wounds wept, while the others did not. They may have been inflicted from mere wantonness. It was known that Captain White was accustomed to keep specie by him in his chamber. This perhaps may explain the last visit. It is proved that this defendant was in the habit of retiring to bed, and leaving it afterwards, without the knowledge of his family. Perhaps he did so on this occasion. We see no reason to doubt the fact; and it does not shake our belief that the murder was committed early in the night. What are the probabilities as to the time of the murder? Mr. White was an aged man. He usually retired to bed at about half-past nine. He slept soundest in the early part of the night; usually awoke in the middle and latter parts; and his habits were perfectly well known. When would persons, with a knowledge of these facts, be most likely to approach him? Most certainly in the first hour of his sleep. This would be the safest time. If seen then going to or from the house, the appearance would be least suspicious. The earlier hour would, then, have been most probably selected.

Gentlemen, I shall dwell no longer on the evidence which tends to prove that there was a conspiracy, and that the prisoner was a conspirator. All the circumstances concur to make out this point. Not only Palmer swears to it, in effect, and Leighton, but Allen mainly supports Palmer, and Osborn's books lend confirmation, so far as possible from such a source. Palmer is contradicted in nothing, either by any other witness or any proved circumstance or occurrence. Whatever could be expected to support him does support him. All the evidence clearly manifests, I think, that there was a conspiracy; that it originated with Joseph Knapp; that defendant became a party to it, and was one of its conductors, from first to last. One of the most powerful circumstances is Palmer's letter from Belfast. The amount of this is a direct charge on the Knapps of the authorship of this murder. How did they treat this charge,—like honest men, or like guilty men? We have seen how it was treated. Joseph Knapp fabricated letters, charging another person, and caused them to be put into the post office. I shall now proceed on the supposition that it is proved that there was a conspiracy to murder Mr. White, and that the prisoner was party to it.

The second and the material inquiry is, was the prisoner present at the murder, aiding and abetting therein? This leads to the legal question in the case. What does the law mean when it says that, in order to charge him as a principal, "he must be present, aiding and abetting in the murder"? In the language of the late chief justice: "It is not required that the abettor shall be actually upon the spot when the murder is committed, or even in sight of the more immediate perpetrator of the victim, to make him a principal. If he be at a distance, coöperating in the act, by watching to prevent relief, or to give an alarm, or to assist his confederate in escape, having knowledge of the purpose and object of the assassin, this, in the eye of the law, is being present, aiding and abetting, so as to make him a principal in the murder." "If he be at a distance, coöperating." This is not a distance to be measured by feet or rods. If the intent to lend aid combine with a knowledge that the murder is to be committed, and the person so intending be so situate that he can by any possibility lend this aid in any manner, then he is present in legal contemplation. He need not lend any actual aid,—to be ready to assist is assisting.

There are two sorts of murder. The distinction between them it is of essential importance to bear in mind: (1) Murder in an affray, or upon sudden and unexpected provocation; (2) murder secretly, with a deliberate, predetermined intention to commit the crime. Under the first class, the question usually is whether the offense be murder or manslaughter in the person who commits the deed. Under the second class,

it is often a question whether others than he who actually did the deed were present, aiding and assisting therein. Offenses of this kind ordinarily happen when there is nobody present except those who go on the same design. If a riot should happen in the court house, and one should kill another, this may be murder, or it may not, according to the intention with which it was done, which is always matter of fact, to be collected from the circumstances at the time. But in secret murders, premeditated and determined on, there can be no doubt of the murderous intention. There can be no doubt, if a person be present, knowing a murder is to be done, of his concurring in the act. His being there is a proof of his intent to aid and abet, else why is he there? It has been contended that proof must be given that the person accused did actually afford aid,—did lend a hand in the murder itself,—and without this proof, although he may be near by, he may be presumed to be there for an innocent purpose; he may have crept silently there to hear the news, or from mere curiosity to see what was going on. Preposterous! Absurd! Such an idea shocks all common sense. A man is found to be a conspirator to commit a murder; he has planned it; he has assisted in arranging the time, the place, and the means; and he is found in the place, and at the time, and yet it is suggested that he might have been there, not for coöperation and concurrence, but from curiosity! Such an argument deserves no answer. It would be difficult to give it one in decorous terms. Is it not to be taken for granted that a man seeks to accomplish his own purposes? When he has planned a murder, and is present at its execution, is he there to forward or to thwart his own design? Is he there to assist, or there to prevent? But "curiosity"! He may be there from mere "curiosity"! Curiosity to witness the success of the execution of his own plan of murder! The very walls of a court house ought not to stand, the plowshare should run through the ground it stands on, where such an argument could find toleration. It is not necessary that the abettor should actually lend a hand,—that he should take a part in the act itself. If he be present ready to assist, that is assisting. Some of the doctrines advanced would acquit the defendant, though he had gone to the bedchamber of the deceased, though he had been standing by when the assassin gave the blow. This is the argument we have heard to-day. [The court here said they did not so understand the argument of the counsel for defendant. Mr. Dexter said, "The intent and power alone must coöperate."] No doubt the law is that being ready to assist is assisting, if the party has the power to assist, in case of need. It is so stated by Foster, who is a high authority. "If A. happeneth to be present at a murder, for instance, and taketh no part in it, nor endeavoreth to prevent it, nor apprehendeth the mur-

derer, nor levyeth hue and cry after him, this strange behavior of his, though highly criminal, will not of itself render him either principal or accessory." "But if a fact amounting to murder should be committed in prosecution of some unlawful purpose, though it were but a bare trespass, to which A., in the case last stated, had consented, and he had gone in order to give assistance, if need were, for carrying it into execution, this would have amounted to murder in him, and in every person present and joining with him." "If the fact was committed in prosecution of the original purpose, which was unlawful, the whole party will be involved in the guilt of him who gave the blow; for in combinations of this kind, the mortal stroke, though given by one of the party, is considered in the eye of the law, and of sound reason too, as given by every individual present and abetting. The person actually giving the stroke is no more than the hand or instrument by which the others strike." The author, in speaking of being present, means actual presence; not actual in opposition to constructive, for the law knows no such distinction. There is but one presence, and this is the situation from which aid, or supposed aid, may be rendered. The law does not say where the person is to go, or how near he is to go, but that he must be where he may give assistance, or where the perpetrator may believe that he may be assisted by him. Suppose that he is acquainted with the design of the murderer, and has a knowledge of the time when it is to be carried into effect, and goes out with a view to render assistance, if need be; why, then, even though the murderer does not know of this, the person so going out will be an abettor in the murder.

It is contended that the prisoner at the bar could not be a principal, he being in Brown street, because he could not there render assistance; and you are called upon to determine this case, according as you may be of opinion whether Brown street was or was not a suitable, convenient, well-chosen place to aid in this murder. This is not the true question. The inquiry is not whether you would have selected this place in preference to all others, or whether you would have selected it at all. If the parties chose it, why should we doubt about it? How do we know the use they intended to make of it, or the kind of aid that he was to afford by being there? The question for you to consider is, did the defendant go into Brown street in aid of this murder? Did he go there by agreement,—by appointment with the perpetrator? If so, everything else follows. The main thing—indeed the only thing—is to inquire whether he was in Brown street by appointment with Richard Crowninshield. It might be to keep general watch; to observe the lights, and advise as to time of access; to meet the murderer on his return, to advise him as to his escape; to examine his clothes, to see if any marks

of blood were upon them; to furnish exchange of clothes, or new disguise, if necessary; to tell him through what streets he could safely retreat, or whether he could deposit the club in the place designed; or it might be without any distinct object, but merely to afford that encouragement which would proceed from Richard Crowninshield's consciousness that he was near. It is of no consequence whether, in your opinion, the place was well chosen, or not, to afford aid. If it was so chosen—if it was by appointment that he was there—it is enough. Suppose Richard Crowninshield, when applied to to commit the murder, had said: "I won't do it unless there can be someone near by to favor my escape. I won't go unless you stay in Brown street." Upon the gentleman's argument, he would not be an aider and abettor in the murder, because the place was not well chosen, though it is apparent that the being in the place chosen was a condition without which the murder should never have happened.

You are to consider the defendant as one in the league, in the combination, to commit the murder. If he was there by appointment with the perpetrator, he is an abettor. The concurrence of the perpetrator in his being there is proved by the previous evidence of the conspiracy. If Richard Crowninshield, for any purpose whatsoever, made it a condition of the agreement that Frank Knapp should stand as backer, then Frank Knapp was an aider and abettor, no matter what the aid was, or what sort it was or degree, be it ever so little, even if it were to judge of the hour when it was best to go, or to see when the lights were extinguished, or to give an alarm if anyone approached. Who better calculated to judge of these things than the murderer himself? And, if he so determined them, that is sufficient.

Now as to the facts. Frank Knapp knew that the murder was that night to be committed. He was one of the conspirators; he knew the object; he knew the time. He had that day been to Wenham to see Joseph, and probably to Danvers to see Richard Crowninshield, for he kept his motions secret. He had that day hired a horse and chaise of Osborn, and attempted to conceal the purpose for which it was used. He had intentionally left the place and the price blank on Osborn's books. He went to Wenham by the way of Danvers. He had been told the week before to hasten Dick. He had seen the Crowninshields several times within a few days. He had a saddle horse the Saturday night before. He had seen Mrs. Beckford at Wenham, and knew she would not return that night. She had not been away before for six weeks, and probably would not soon be again. He had just come from Wenham. Every day, for the week previous, he had visited one or another of these conspirators, save Sunday, and then probably he saw

them in town. When he saw Joseph on the 6th, Joseph had prepared the house, and would naturally tell him of it. There were constant communications between them; daily and nightly visitation; too much knowledge of these parties and this transaction to leave a particle of doubt on the mind of anyone that Frank Knapp knew the murder was to be committed this night. The hour was come, and he knew it. If so, and he was in Brown street without explaining why he was there, can the jury for a moment doubt whether he was there to countenance, aid, or support, or for curiosity alone, or to learn how the wages of sin and death were earned by the perpetrator? [Here Mr. Webster read the law from Hawkins,—1 Hawk. 204, lib. 1, c. 32, § 7.] The perpetrator would derive courage and strength and confidence from the knowledge that one of his associates was near by. If he was in Brown street, he could have been there for no other purpose. If there for this purpose, then he was, in the language of the law, present, aiding and abetting in the murder. His interest lay in being somewhere else. If he had nothing to do with the murder, no part to act, why not stay at home? Why should he jeopard his own life if it was not agreed that he should be there? He would not voluntarily go where the very place would cause him to swing if detected. He would not voluntarily assume the place of danger. His taking this place proves that he went to give aid. His staying away would have made an *alibi*. If he had nothing to do with the murder, he would be at home, where he could prove his *alibi*. He knew he was in danger, because he was guilty of the conspiracy, and, if he had nothing to do, would not expose himself to suspicion of detection. Did the prisoner at the bar countenance this murder? Did he concur, or did he nonconcur, in what the perpetrator was about to do? Would he have tried to shield him? Would he have furnished his cloak for protection? Would he have pointed out a safe way of retreat? As you would answer these questions, so you should answer the general question whether he was there consenting to the murder, or whether he was there as a spectator only.

One word more on this presence, called "constructive presence." What aid is to be rendered? Where is the line to be drawn between acting and omitting to act? Suppose he had been in the house, suppose he had followed the perpetrator to the chamber, what could he have done? This was to be a murder by stealth. It was to be a secret assassination. It was not their purpose to have an open combat; they were to approach their victim unawares, and silently give the fatal blow. But if he had been in the chamber, no one can doubt that he would have been an abettor, because of his presence and ability to render services, if needed. What service could he have rendered if there? Could he have helped him

to fly? Could he have aided the silence of his movements? Could he have facilitated his retreat on the first alarm? Surely this was a case where there was more of safety in going alone than with another; where company would only embarrass. Richard Crowninshield would prefer to go alone. He knew his errand too well. His nerves needed no collateral support. He was not the man to take with him a trembling companion. He would prefer to have his aid at a distance. He would not wish to be encumbered by his presence. He would prefer to have him out of the house. He would prefer that he should be in Brown street. But whether in the chamber, in the house, in the garden, or in the street, whatsoever is aiding in actual presence is aiding in constructive presence; anything that is aid in one case is aid in the other. If, then, the aid be anywhere, so as to embolden the perpetrator, to afford him hope or confidence in his enterprise, it is the same as though the person stood at his elbow with his sword drawn. His being there ready to act, with the power to act, is what makes him an abettor. [Here Mr. Webster referred to the cases of Kelly, of Hyde, and others, cited by counsel for the defendant, and showed that they did not militate with the doctrine for which he contended. The difference is, in those cases there was open violence. This was a case of secret assassination. The aid must meet the occasion. Here no acting was necessary, but watching, concealment of escape, management.]

What are the facts in relation to this presence? Frank Knapp is proved to have been a conspirator; proved to have known that the deed was now to be done. Is it not probable that he was in Brown street to concur in the murder? There were four conspirators. It was natural that some one of them should go with the perpetrator. Richard Crowninshield was to be the perpetrator; he was to give the blow. There is no evidence of any casting of the parts for the others. The defendant would probably be the man to take the second part. He was fond of exploits; he was accustomed to the use of sword canes and dirks. If any aid was required, he was the man to give it. At least there is no evidence to the contrary of this. Aid could not have been received from Joseph Knapp or from George Crowninshield. Joseph Knapp was at Wenham, and took good care to prove that he was there. George Crowninshield has proved satisfactorily where he was,—that he was in other company, such as it was, until eleven o'clock. This narrows the inquiry. This demands of the prisoner to show, if he was not in this place, where he was. It calls on him loudly to show this, and to show it truly. If he could show it, he would do it. If he does not tell, and that truly, it is against him. The defense of an *alibi* is a double-edged sword. He knew that he was in a situation where he might be called

upon to account for himself. If he had had no particular appointment or business to attend to, he would have taken care to be able so to account. He would have been out of town, or in some good company. Has he accounted for himself on that night to your satisfaction? The prisoner has attempted to prove an *alibi* in two ways: In the first place, by four young men with whom he says he was in company, on the evening of the murder, from seven o'clock till near ten o'clock. This depends upon the certainty of the night. In the second place, by his family, from ten o'clock afterwards. This depends upon the certainty of the time of the night. These two classes of proof have no connection with each other. One may be true, and the other false; or they may both be true, or both be false. I shall examine this testimony with some attention, because, on a former trial, it made more impression on the minds of the court than on my own mind. I think, when carefully sifted and compared, it will be found to have in it more of plausibility than reality.

Mr. Page testifies that, on the evening of the 6th of April, he was in company with Burchmore, Balch, and Forrester, and that he met the defendant about seven o'clock, near the Salem Hotel; that he afterwards met him at Remond's, about nine o'clock, and that he was in company with him a considerable part of the evening. This young gentleman is a member of college, and says that he came to town the Saturday evening previous; that he is now able to say that it was the night of the murder when he walked with Frank Knapp, from the recollection of the fact that he called himself to an account, on the morning after the murder, as it is natural for men to do when an extraordinary occurrence happens. Gentlemen, this kind of evidence is not satisfactory; general impressions as to time are not to be relied on. If I were called on to state the particular day on which any witness testified in this cause, I could not do it. Every man will notice the same thing in his own mind. There is no one of these young men that could give an account of himself for any other day in the month of April. They are made to remember the fact, and then they think they remember the time. The witness has no means of knowing it was Tuesday, rather than any other time. He did not know it at first; he could not know it afterwards. He says he called himself to an account. This has no more to do with the murder than the man in the moon. Such testimony is not worthy to be relied on in any forty-shilling cause. What occasion had he to call himself to an account? Did he suppose that he should be suspected? Had he any intimation of this conspiracy?

Suppose, gentlemen, you were either of you asked where you were, or what you were doing, on the fifteenth day of June. You could not answer this question without calling to mind some events to make it

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certain. Just as well may you remember on what you dined each day of the year past. Time is identical. Its subdivisions are all alike. No man knows one day from another, or one hour from another, but by some fact connected with it. Days and hours are not visible to the senses, nor to be apprehended and distinguished by the understanding. The flow of time is known only by something which marks it; and he who speaks of the date of occurrences with nothing to guide his recollection speaks at random, and is not to be relied on. This young gentleman remembers the facts and occurrences; he knows nothing why they should not have happened on the evening of the 6th; but he knows no more. All the rest is evidently conjecture or impression. Mr. White informs you that he told him he could not tell what night it was. The first thoughts are all that are valuable in such case. They miss the mark by taking second aim. Mr. Balch believes, but is not sure, that he was with Frank Knapp on the evening of the murder. He has given different accounts of the time. He has no means of making it certain. All he knows is that it was some evening before Fast Day; but whether Monday, Tuesday, or Saturday, he cannot tell. Mr. Burchmore says, to the best of his belief, it was the evening of the murder. Afterwards he attempts to speak positively, from recollecting that he mentioned the circumstance to William Peirce as he went to the Mineral Spring on Fast Day. Last Monday morning he told Colonel Putnam he could not fix the time. This witness stands in a much worse plight than either of the others. It is difficult to reconcile all he has said with any belief in the accuracy of his recollections. Mr. Forrester does not speak with any certainty as to the night, and it is very certain that he told Mr. Loring and others that he did not know what night it was.

Now, what does the testimony of these four young men amount to? The only circumstance by which they approximate to an identifying of the night is that three of them say it was cloudy. They think their walk was either on Monday or Tuesday evening, and it is admitted that Monday evening was clear, whence they draw the inference that it must have been Tuesday. But, fortunately, there is one fact disclosed in their testimony that settles the question. Balch says that on the evening, whenever it was, he saw the prisoner. The prisoner told him he was going out of town on horseback for a distance of about twenty minutes' drive, and that he was going to get a horse at Osborn's. This was about seven o'clock. At about nine, Balch says he saw the prisoner again, and was then told by him that he had had his ride, and had returned. Now, it appears by Osborn's books that the prisoner had a saddle horse from his stable, not on Tuesday evening, the night of the murder, but on the Saturday evening previous. This fixes the time about which these

young men testify, and is a complete answer and refutation of the attempted *alibi* on Tuesday evening.

I come now to speak of the testimony adduced by the defendant to explain where he was after ten o'clock on the night of the murder. This comes chiefly from members of the family,—from his father and brothers.

It is agreed that the affidavit of the prisoner should be received as evidence of what his brother, Samuel H. Knapp, would testify if present. Samuel H. Knapp says that, about ten minutes past ten o'clock, his brother, Frank Knapp, on his way to bed, opened his chamber door, made some remarks, closed the door, and went to his chamber, and that he did not hear him leave it afterwards. How is this witness able to fix the time at ten minutes past ten? There is no circumstance mentioned by which he fixes it. He had been in bed, probably asleep, and was aroused from his sleep by the opening of the door. Was he in a situation to speak of time with precision? Could he know, under such circumstances, whether it was ten minutes past ten or ten minutes before eleven when his brother spoke to him? What would be the natural result in such a case? But we are not left to conjecture this result. We have positive testimony on this point. Mr. Webb tells you that Samuel told him, on the 8th of June, "that he did not know what time his brother Frank came home, and that he was not at home when he went to bed." You will consider this testimony of Mr. Webb as indorsed upon this affidavit, and, with this indorsement upon it, you will give it its due weight. This statement was made to him after Frank was arrested.

I come to the testimony of the father. I find myself incapable of speaking of him or his testimony with severity. Unfortunate old man! Another Lear, in the conduct of his children; another Lear, I apprehend, in the effect of his distress upon his mind and understanding. He is brought here to testify, under circumstances that disarm severity, and call loudly for sympathy. Though it is impossible not to see that his story cannot be credited, yet I am unable to speak of him otherwise than in sorrow and grief. Unhappy father! he strives to remember, perhaps persuades himself that he does remember, that on the evening of the murder he was himself at home at ten o'clock. He thinks, or seems to think, that his son came in at about five minutes past ten. He fancies that he remembers his conversation; he thinks he spoke of bolting the door; he thinks he asked the time of night; he seems to remember his then going to his bed. Alas! these are but the swimming fancies of an agitated and distressed mind. Alas! they are but the dreams of hope, its uncertain lights, flickering on the thick darkness of parental distress. Alas! the miserable father knows nothing, in reality, of all

these things. Mr. Shepard says that the first conversation he had with Mr. Knapp was soon after the murder, and before the arrest of his sons. Mr. Knapp says it was after the arrest of his sons. His own fears led him to say to Mr. Shepard that his "son Frank was at home that night, and so Phippen told him," or "as Phippen told him." Mr. Shepard says that he was struck with the remark at the time; that it made an unfavorable impression on his mind. He does not tell you what that impression was, but when you connect it with the previous inquiry he had made, whether Frank had continued to associate with the Crowninshields, and recollect that the Crowninshields were then known to be suspected of this crime, can you doubt what this impression was? Can you doubt as to the fears he then had? This poor old man tells you that he was greatly perplexed at the time; that he found himself in embarrassed circumstances; that on this very night he was engaged in making an assignment of his property to his friend, Mr. Shepard. If ever charity should furnish a mantle for error, it should be here. Imagination cannot picture a more deplorable, distressed condition. The same general remarks may be applied to his conversation with Mr. Treadwell as have been made upon that with Mr. Shepard. He told him that he believed Frank was at home about the usual time. In his conversations with either of these persons, he did not pretend to know, of his own knowledge, the time that he came home. He now tells you positively that he recollects the time, and that he so told Mr. Shepard. He is directly contradicted by both these witnesses, as respectable men as Salem affords. This idea of an *alibi* is of recent origin. Would Samuel Knapp have gone to sea if it were then thought of? His testimony, if true, was too important to be lost. If there be any truth in this part of the *alibi,* it is so near in point of time that it cannot be relied on. The mere variation of half an hour would avoid it. The mere variations of different timepieces would explain it. Has the defendant proved where he was on that night? If you doubt about it, there is an end of it. The burden is upon him to satisfy you beyond all reasonable doubt. Osborn's books, in connection with what the young men state, are conclusive, I think, on this point. He has not, then, accounted for himself. He has attempted it, and has failed. I pray you to remember, gentlemen, that this is a case in which the prisoner would, more than any other, be rationally able to account for himself on the night of the murder if he could do so. He was in the conspiracy, he knew the murder was then to be committed, and, if he himself was to have no hand in its actual execution, he would of course, as a matter of safety and precaution, be somewhere else, and be able to prove afterwards that he had been somewhere else. Having this motive to prove himself

elsewhere, and the power to do it if he were elsewhere, his failing in such proof must necessarily leave a very strong inference against him.

But, gentlemen, let us now consider what is the evidence produced on the part of the government to prove that John Francis Knapp, the prisoner at the bar, was in Brown street on the night of the murder. This is a point of vital importance in this cause. Unless this be made out, beyond reasonable doubt, the law of presence does not apply to the case. The government undertakes to prove that he was present, aiding in the murder, by proving that he was in Brown street for this purpose. Now, what are the undoubted facts? They are that two persons were seen in that street, several times during that evening, under suspicious circumstances,—under such circumstances as induced those who saw them to watch their movements. Of this there can be no doubt. Mirick saw a man standing at the post opposite his store from fifteen minutes before nine until twenty minutes after, dressed in a full frock-coat, glazed cap, and so forth, in size and general appearance answering to the prisoner at the bar. This person was waiting there, and, whenever anyone approached him, he moved to and from the corner, as though he would avoid being suspected or recognized. Afterwards, two persons were seen by Webster walking in Howard street with a slow, deliberate movement that attracted his attention. This was about half-past nine. One of these he took to be the prisoner at the bar; the other he did not know. About half-past ten a person is seen sitting on the rope-walk steps, wrapped in a cloak. He drops his head when passed, to avoid being known. Shortly after, two persons are seen to meet in this street, without ceremony or salutation, and in a hurried manner to converse for a short time, then to separate, and run off with great speed. Now, on this same night, a gentleman is slain,—murdered in his bed,—his house being entered by stealth from without, and his house situated within three hundred feet of this street. The windows of his chamber were in plain sight from this street. A weapon of death is afterwards found in a place where these persons were seen to pass, in a retired place, around which they had been seen lingering. It is now known that this murder was committed by four persons, conspiring together for this purpose. No account is given who these suspected persons thus seen in Brown street and its neighborhood were. Now I ask, gentlemen, whether you or any man can doubt that this murder was committed by the persons who were thus in and about Brown street. Can any person doubt that they were there for purposes connected with this murder? If not for this purpose, what were they there for? When there is a cause so near at hand, why wander into conjecture for an explanation? Common sense requires you to take the

nearest adequate cause for a known effect. Who were these suspicious persons in Brown street? There was something extraordinary about them; something noticeable, and noticed at the time; something in their appearance that aroused suspicion. And a man is found the next morning murdered in the near vicinity. Now, so long as no other account shall be given of those suspicious persons, so long the inference must remain irresistible that they were the murderers. Let it be remembered that it is already shown that this murder was the result of conspiracy and of concert; let it be remembered that the house, having been opened from within, was entered by stealth from without; let it be remembered that Brown street, where these persons were repeatedly seen under such suspicious circumstances, was a place from which every occupied room in Mr. White's house is clearly seen; let it be remembered that the place, though thus very near to Mr. White's house, is a retired and lonely place; and let it be remembered that the instrument of death was afterwards found concealed very near the same spot. Must not every man come to the conclusion that these persons thus seen in Brown street were the murderers? Every man's own judgment, I think, must satisfy him that this must be so. It is a plain deduction of common sense. It is a point on which each one of you may reason like a Hale or a Mansfield. The two occurrences explain each other. The murder shows why these persons were thus lurking, at that hour, in Brown street, and their lurking in Brown street shows who committed the murder. If, then, the persons in and about Brown street were the plotters and executors of the murder of Captain White, we know who they were, and you know that there is one of them. This fearful concatenation of circumstances puts him to an account. He was a conspirator. He had entered into this plan of murder. The murder is committed, and he is known to have been within three minutes' walk of the place. He must account for himself. He has attempted this, and failed. Then, with all these general reasons to show he was actually in Brown street, and his failures in his *alibi,* let us see what is the direct proof of his being there. But first let me ask, is it not very remarkable that there is no attempt to show where Richard Crowninshield, Jr., was on that night? We hear nothing of him. He was seen in none of his usual haunts about the town. Yet, if he was the actual perpetrator of the murder, which nobody doubts, he was in the town somewhere. Can you therefore entertain a doubt that he was one of the persons seen in Brown street? And as to the prisoner, you will recollect that, since the testimony of the young men has failed to show where he was on that evening, the last we hear or know of him on the day preceding the murder is that at four o'clock p. m. he was at his brother's in Wenham. He had left

home, after dinner, in a manner doubtless designed to avoid observation, and had gone to Wenham, probably by way of Danvers. As we hear nothing of him after four o'clock p. m. for the remainder of the day and evening; as he was one of the conspirators; as Richard Crowninshield, Jr., was another; as Richard Crowninshield, Jr., was in town in the evening, and yet seen in no usual place of resort,—the inference is very fair that Richard Crowninshield, Jr., and the prisoner were together, acting in execution of their conspiracy. Of the four conspirators, J. J. Knapp, Jr., was at Wenham, and George Crowninshield has been accounted for, so that, if the persons seen in Brown street were the murderers, one of them must have been Richard Crowninshield, Jr., and the other must have been the prisoner at the bar.

Now as to the proof of his identity with one of the persons seen in Brown street. Mr. Mirick, a cautious witness, examined the person he saw closely, in a light night, and says that he thinks the prisoner at the bar is the person, and that he should not hesitate at all if he were seen in the same dress. His opinion is formed partly from his own observation, and partly from the description of others; but this description turns out to be only in regard to the dress. It is said that he is now more confident than on the former trial. If he has varied in his testimony, make such allowance as you may think proper. I do not perceive any material variance. He thought him the same person when he was first brought to court, and as he saw him get out of the chaise. This is one of the cases in which a witness is permitted to give an opinion. This witness is as honest as yourselves,—neither willing nor swift; but he says he believes it was the man. His words are, "This is my opinion," and this opinion it is proper for him to give. If partly founded on what he has heard, then this opinion is not to be taken; but if on what he saw, then you can have no better evidence. I lay no stress on similarity of dress. No man will ever lose his life by my voice on such evidence. But then it is proper to notice that no inferences drawn from any dissimilarity of dress can be given in the prisoner's favor, because, in fact, the person seen by Mirick was dressed like the prisoner. The description of the person seen by Mirick answers to that of the prisoner at the bar. In regard to the supposed discrepancy of statements, before and now, there would be no end to such minute inquiries. It would not be strange if witnesses should vary. I do not think much of slight shades of variation. If I believe the witness is honest, that is enough. If he has expressed himself more strongly now than then, this does not prove him false. Peter E. Webster saw the prisoner at the bar, as he then thought, and still thinks, walking in Howard street at half-past nine o'clock. He then thought it was Frank Knapp, and

has not altered his opinion since. He knew him well; he had long known him. If he then thought it was he, this goes far to prove it. He observed him the more, as it was unusual to see gentlemen walk there at that hour. It was a retired, lonely street. Now, is there reasonable doubt that Mr. Webster did see him there that night? How can you have more proof than this? He judged by his walk, by his general appearance, by his deportment. We all judge in this manner. If you believe he is right, it goes a great way in this case. But then this person, it is said, had a cloak on, and that he could not, therefore, be the same person that Mirick saw. If we were treating of men that had no occasion to disguise themselves or their conduct, there might be something in this argument. But as it is, there is little in it. It may be presumed that they would change their dress. This would help their disguise. What is easier than to throw off a cloak, and again put it on? Perhaps he was less fearful of being known when alone than when with the perpetrator. Mr. Southwick swears all that a man can swear. He has the best means of judging that could be had at the time. He tells you that he left his father's house at half-past ten o'clock, and, as he passed to his own house in Brown street, he saw a man sitting on the steps of the rope-walk; that he passed him three times, and each time he held down his head, so that he did not see his face; that the man had on a cloak, which was not wrapped around him, and a glazed cap; that he took the man to be Frank Knapp at the time; that, when he went into his house, he told his wife that he thought it was Frank Knapp; that he knew him well, having known him from a boy. And his wife swears that he did so tell her when he came home. What could mislead this witness at the time? He was not then suspecting Frank Knapp of anything. He could not then be influenced by any prejudice. If you believe that the witness saw Frank Knapp in this position at this time, it proves the case. Whether you believe it or not depends upon the credit of the witness. He swears it. If true, it is solid evidence. Mrs. Southwick supports her husband. Are they true? Are they worthy of belief? If he deserves the epithets applied to him, then he ought not to be believed. In this fact they cannot be mistaken; they are right, or they are perjured. As to his not speaking to Frank Knapp, that depends upon their intimacy. But a very good reason is, Frank chose to disguise himself. This makes nothing against his credit. But it is said that he should not be believed. And why? Because, it is said, he himself now tells you that, when he testified before the grand jury at Ipswich, he did not then say that he thought the person he saw in Brown street was Frank Knapp, but that "the person was about the size of Selman." The means of attacking him, therefore, come from himself.

If he is a false man, why should he tell truths against himself? They rely on his veracity to prove that he is a liar. Before you can come to this conclusion, you will consider whether all the circumstances are now known that should have a bearing on this point. Suppose that, when he was before the grand jury, he was asked by the attorney this question, "Was the person you saw in Brown street about the size of Selman?" and he answered, "Yes." This was all true. Suppose, also, that he expected to be inquired of further, and no further questions were put to him. Would it not be extremely hard to impute to him perjury for this? It is not uncommon for witnesses to think that they have done all their duty when they have answered the questions put to them. But suppose that we admit that he did not then tell all he knew, this does not affect the fact at all, because he did tell, at the time, in the hearing of others, that the person he saw was Frank Knapp. There is not the slightest suggestion against the veracity or accuracy of Mrs. Southwick. Now, she swears positively that her husband came into the house and told her that he had seen a person on the rope-walk steps, and believed it was Frank Knapp. It is said that Mr. Southwick is contradicted, also, by Mr. Shillaber. I do not so understand Mr. Shillaber's testimony. I think what they both testify is reconcilable and consistent. My learned brother said, on a similar occasion, that there is more probability, in such cases, that the persons hearing should misunderstand, than that the person speaking should contradict himself. I think the same remark applicable here. You have all witnessed the uncertainty of testimony when witnesses are called to testify what other witnesses said. Several respectable counselors have been summoned, on this occasion, to give testimony of that sort. They have, every one of them, given different versions. They all took minutes at the time, and without doubt intend to state the truth. But still they differ. Mr. Shillaber's version is different from everything that Southwick has stated elsewhere. But little reliance is to be placed on slight variations in testimony, unless they are manifestly intentional. I think that Mr. Shillaber must be satisfied that he did not rightly understand Mr. Southwick. I confess I misunderstood Mr. Shillaber on the former trial, if I now rightly understand him. I therefore did not then recall Mr. Southwick to the stand. Mr. Southwick, as I read it, understood Mr. Shillaber as asking him about a person coming out of Newbury street, and whether, for aught he knew, it might not be Richard Crowninshield, Jr. He answered that he could not tell. He did not understand Mr. Shillaber as questioning him as to the person whom he saw sitting on the steps of the rope-walk. Southwick, on this trial, having heard Mr. Shillaber, has been recalled to the stand, and states that

Mr. Shillaber entirely misunderstood him. This is certainly most probable, because the controlling fact in the case is not controverted,—that is, that Southwick did tell his wife, at the very moment he entered his house, that he had seen a person on the rope-walk steps, whom he believed to be Frank Knapp. Nothing can prove with more certainty than this: that Southwick, at the time, thought the person whom he thus saw to be the prisoner at the bar. Mr. Bray is an acknowledged accurate and intelligent witness. He was highly complimented by my brother on the former trial, although he now charges him with varying his testimony. What could be his motive? You will be slow in imputing to him any design of this kind. I deny altogether that there is any contradiction. There may be differences, but not contradiction. These arise from the difference in the questions put; the difference between believing and knowing. On the first trial, he said he did not know the person, and now says the same. Then, we did not do all we had a right to do. We did not ask him who he thought it was. Now, when so asked, he says he believes it was the prisoner at the bar. If he had then been asked this question, he would have given the same answer. That he has expressed himself more strongly, I admit; but he has not contradicted himself. He is more confident now, and that is all. A man may not assert a thing, and still may have no doubt upon it. Cannot every man see this distinction to be consistent? I leave him in that attitude; that only is the difference. On questions of identity, opinion is evidence. We may ask the witness, either if he knew who the person seen was, or who he thinks he was. And he may well answer, as Captain Bray has answered, that he does not know who it was, but that he thinks it was the prisoner. We have offered to produce witnesses to prove that, as soon as Bray saw the prisoner, he pronounced him the same person. We are not at liberty to call them to corroborate our own witness. How, then, could this fact of the prisoner's being in Brown street be better proved? If ten witnesses had testified to it, it would be no better. Two men, who knew him well, took it to be Frank Knapp, and one of them so said, when there was nothing to mislead them. Two others, who examined him closely, now swear to their opinion that he is the man. Miss Jaqueth saw three persons pass by the rope-walk several evenings before the murder. She saw one of them pointing towards Mr. White's house. She noticed that another had something which appeared to be like an instrument of music; that he put it behind him, and attempted to conceal it. Who were these persons? This was but a few steps from the place where this apparent instrument of music (of music such as Richard Crowninshield, Jr., spoke of to Palmer) was afterwards found. These facts prove this a point of rendezvous for these parties. They

show Brown street to have been the place for consultation and observation, and to this purpose it was well suited. Mr. Burns' testimony is also important. What was the defendant's object in his private conversation with Burns? He knew that Burns was out that night; that he lived near Brown street, and that he had probably seen him, and he wished him to say nothing. He said to Burns, "If you saw any of your friends out that night, say nothing about it; my brother Joe and I are your friends." This is plain proof that he wished to say to him, if you saw me in Brown street that night, say nothing about it. But it is said that Burns ought not to be believed because he mistook the color of the dagger, and because he has varied in his description of it. These are slight circumstances, if his general character be good. To my mind they are of no importance. It is for you to make what deduction you may think proper, on this account, from the weight of his evidence. His conversation with Burns, if Burns is believed, shows two things: First, that he desired Burns not to mention it, if he had seen him on the night of the murder; second, that he wished to fix the charge of murder on Mr. Stephen White. Both of these prove his own guilt.

I think you will be of opinion that Brown street was a probable place for the conspirators to assemble, and for an aid to be stationed. If we knew their whole plan, and if we were skilled to judge in such a case, then we could perhaps determine on this point better. But it is a retired place, and still commands a full view of the house; a lonely place, but still a place of observation; not so lonely that a person would excite suspicion to be seen walking there in an ordinary manner; not so public as to be noticed by many. It is near enough to the scene of action in point of law. It was their point of centrality. The club was found near the spot, in a place provided for it, in a place that had been previously hunted out, in a concerted place of concealment. Here was their point of rendezvous; here might the lights be seen; here might an aid be secreted; here was he within call; here might he be aroused by the sound of the whistle; here might he carry the weapon; here might he receive the murderer after the murder.

Then, gentlemen, the general question occurs, is it satisfactorily proved, by all these facts and circumstances, that the defendant was in and about Brown street on the night of the murder? Considering that the murder was effected by a conspiracy; considering that he was one of the four conspirators; considering that two of the conspirators have accounted for themselves on the night of the murder, and were not in Brown street; considering that the prisoner does not account for himself, nor show where he was; considering that Richard Crowninshield, the other conspirator and the perpetrator, is not accounted for, nor shown

to be elsewhere; considering that it is now past all doubt that two persons were seen lurking in and about Brown street at different times, avoiding observation, and exciting so much suspicion that the neighbors actually watched them; considering that, if these persons thus lurking in Brown street at that hour were not the murderers, it remains to this day wholly unknown who they were or what their business was; considering the testimony of Miss Jaqueth, and that the club was afterwards found near this place; considering, finally, that Webster and Southwick saw these persons, and then took one of them for the defendant, and that Southwick then told his wife so, and that Bray and Mirick examined them closely, and now swear to their belief that the prisoner was one of them,—it is for you to say, putting these considerations together, whether you believe the prisoner was actually in Brown street at the time of the murder.

By the counsel for the prisoner, much stress has been laid upon the question whether Brown street was a place in which aid could be given,—a place in which actual assistance could be rendered in this transaction. This must be mainly decided by their own opinion who selected the place; by what they thought at the time, according to their plan of operation. If it was agreed that the prisoner should be there to assist, it is enough. If they thought the place proper for their purpose, according to their plan, it is sufficient. Suppose we could prove expressly that they agreed that Frank should be there, and he was there, and you should think it not a well-chosen place for aiding and abetting, must he be acquitted? No! It is not what I think or you think of the appropriateness of the place; it is what they thought at the time. If the prisoner was in Brown street by appointment and agreement with the perpetrator, for the purpose of giving assistance if assistance should be needed, it may safely be presumed that the place was suited to such assistance as it was supposed by the parties might chance to become requisite. If in Brown street, was he there by appointment? Was he there to aid, if aid were necessary? Was he there for or against the murderer? to concur, or to oppose? to favor, or to thwart? Did the perpetrator know he was there,—there waiting? If so, then it follows that he was there by appointment. He was at the post half an hour. He was waiting for somebody. This proves appointment, arrangement, previous agreement; then it follows that he was there to aid, to encourage, to embolden the perpetrator, and that is enough. If he were in such a situation as to afford aid, or that he was relied upon for aid, then he was aiding and abetting. It is enough that the conspirator desired to have him there. Besides, it may be well said that he could afford just as much aid there as if he had been in Essex street,—as if

he had been standing even at the gate or at the window. It was not an act of power against power that was to be done; it was a secret act, to be done by stealth. The aid was to be placed in a position secure from observation. It was important to the security of both that he should be in a lonely place. Now, it is obvious that there are many purposes for which he might be in Brown street: (1) Richard Crowninshield might have been secreted in the garden, and waiting for a signal; (2) or he might be in Brown street to advise him as to the time of making his entry into the house; (3) or to favor his escape; (4) or to see if the street was clear when he came out; (5) or to conceal the weapon or the clothes; (6) to be ready for any unforeseen contingency. Richard Crowninshield lived in Danvers. He would retire by the most secret way. Brown street is that way. If you find him there, can you doubt why he was there? If, gentlemen, the prisoner went into Brown street, by appointment with the perpetrator, to render aid or encouragement in any of these ways, he was present, in legal contemplation, aiding and abetting in this murder. It is not necessary that he should have done anything; it is enough that he was ready to act, and in a place to act. If his being in Brown street, by appointment, at the time of the murder, emboldened the purpose and encouraged the heart of the murderer by the hope of instant aid if aid should become necessary, then, without doubt, he was present, aiding and abetting, and was a principal in the murder.

I now proceed, gentlemen, to the consideration of the testimony of Mr. Colman. Although this evidence bears on every material part of the cause, I have purposely avoided every comment on it till the present moment, when I have done with the other evidence in the case. As to the admission of this evidence, there has been a great struggle, and its importance demanded it. The general rule of law is that confessions are to be received as evidence. They are entitled to great or to little consideration, according to the circumstances under which they are made. Voluntary, deliberate confessions are the most important and satisfactory evidence; but confessions hastily made, or improperly obtained, are entitled to little or no consideration. It is always to be inquired whether they were purely voluntary, or were made under any undue influence of hope or fear; for, in general, if any influence were exerted on the mind of the person confessing, such confessions are not to be submitted to a jury. Who is Mr. Colman? He is an intelligent, accurate, and cautious witness; a gentleman of high and well-known character, and of unquestionable veracity; as a clergyman, highly respectable; as a man, of fair name and fame. Why was Mr. Colman with the prisoner? Joseph J. Knapp was his parishioner; he was the

head of a family, and had been married by Mr. Colman. The interests of that family were dear to him. He felt for their afflictions, and was anxious to alleviate their sufferings. He went from the purest and best of motives to visit Joseph Knapp. He came to save, not to destroy; to rescue, not to take away life. In this family he thought there might be a chance to save one. It is a misconstruction of Mr. Colman's motives, at once the most strange and the most uncharitable,—a perversion of all just views of his conduct and intentions the most unaccountable,—to represent him as acting, on this occasion, in hostility to anyone, or as desirous of injuring or endangering anyone. He has stated his own motives and his own conduct in a manner to command universal belief and universal respect. For intelligence, for consistency, for accuracy, for caution, for candor, never did witness acquit himself better, or stand fairer. In all that he did as a man, and all he has said as a witness, he has shown himself worthy of entire regard.

Now, gentlemen, very important confessions made by the prisoner are sworn to by Mr. Colman. They were made in the prisoner's cell, where Mr. Colman had gone with the prisoner's brother, N. Phippen Knapp. Whatever conversation took place was in the presence of N. P. Knapp. Now, on the part of the prisoner, two things are asserted: First, that such inducements were suggested to the prisoner, in this interview, that no confessions made by him ought to be received; second, that, in point of fact, he made no such confessions as Mr. Colman testifies to, nor, indeed, any confessions at all. These two propositions are attempted to be supported by the testimony of N. P. Knapp. These two witnesses, Mr. Colman and N. P. Knapp, differ entirely. There is no possibility of reconciling them. No charity can cover both. One or the other has sworn falsely. If N. P. Knapp be believed, Mr. Colman's testimony must be wholly disregarded. It is, then, a question of credit,—a question of belief between the two witnesses. As you decide between these, so you will decide on all this part of the case. Mr. Colman has given you a plain narrative, a consistent account, and has uniformly stated the same things. He is not contradicted, except by the testimony of Phippen Knapp. He is influenced, as far as we can see, by no bias or prejudice, any more than other men, except so far as his character is now at stake. He has feelings on this point, doubtless, and ought to have. If what he has stated be not true, I cannot see any ground for his escape. If he be a true man, he must have heard what he testifies. No treachery of memory brings to memory things that never took place. There is no reconciling his evidence with good intention if the facts in it are not as he states them. He is on trial as to his veracity. The relation in which the other witness stands deserves your careful

consideration. He is a member of the family. He has the lives of two brothers depending, as he may think, on the effect of his evidence; depending on every word he speaks. I hope he has not another responsibility resting upon him. By the advice of a friend, and that friend Mr. Colman, J. Knapp made a full and free confession, and obtained a promise of pardon. He has since, as you know, probably by the advice of other friends, retracted that confession, and rejected the offered pardon. Events will show who of these friends and advisers advised him best and befriended him most. In the meantime, if this brother, the witness, be one of these advisers, and advised the retraction, he has, most emphatically, the lives of his brothers resting upon his evidence and upon his conduct. Compare the situation of these two witnesses. Do you not see mighty motive enough on the one side, and want of all motive on the other? I would gladly find an apology for that witness in his agonized feelings, in his distressed situation; in the agitation of that hour, or of this. I would gladly impute it to error, or to want of recollection, to confusion of mind, or disturbance of feeling. I would gladly impute to any pardonable source that which cannot be reconciled to facts and to truth; but, even in a case calling for so much sympathy, justice must yet prevail, and we must come to the conclusion, however reluctantly, which that demands from us. It is said Phippen Knapp was probably correct, because he knew he should probably be called as a witness. Witness to what? When he says there was no confession, what could he expect to bear witness of? But I do not put it on the ground that he did not hear. I am compelled to put it on the other ground, that he did hear, and does not now truly tell what he heard. If Mr. Colman were out of the case, there are other reasons why the story of Phippen Knapp should not be believed. It has in it inherent improbabilities. It is unnatural, and inconsistent with the accompanying circumstances. He tells you that they went "to the cell of Frank, to see if he had any objection to taking a trial, and suffering his brother to accept the offer of pardon,"—in other words, to obtain Frank's consent to Joseph's making a confession,—and, in case this consent was not obtained, that the pardon would be offered to Frank. Did they bandy about the chance of life, between these two, in this way? Did Mr. Colman, after having given this pledge to Joseph, and after having received a disclosure from Joseph, go to the cell of Frank for such a purpose as this? It is impossible; it cannot be so. Again, we know that Mr. Colman found the club the next day; that he went directly to the place of deposit, and found it at the first attempt, exactly where he says he had been informed it was. Now, Phippen Knapp says that Frank had stated nothing respecting the club; that it was not mentioned

in that conversation. He says, also, that he was present in the cell of Joseph all the time that Mr. Colman was there; that he believes he heard all that was said in Joseph's cell; and that he did not himself know where the club was, and never had known where it was, until he heard it stated in court. Now, it is certain that Mr. Colman says he did not learn the particular place of deposit of the club from Joseph; that he only learned from him that it was deposited under the steps of the Howard street meeting house, without defining the particular steps. It is certain, also, that he had more knowledge of the position of the club than this; else how could he have placed his hand on it so readily? and where else could he have obtained this knowledge, except from Frank? [Here Mr. Dexter said that Mr. Colman had had other interviews with Joseph, and might have derived the information from him at previous visits. Mr. Webster replied that Mr. Colman had testified that he learned nothing in relation to the club until this visit.] My point is to show that Phippen Knapp's story is not true,—is not consistent with itself; that, taking it for granted, as he says, that he heard all that was said to Mr. Colman in both cells, by Joseph and by Frank, and that Joseph did not state particularly where the club was deposited, and that he knew as much about the place of deposit of the club as Mr. Colman knew, why, then, Mr. Colman must either have been miraculously informed respecting the club, or Phippen Knapp has not told you the whole truth. There is no reconciling this without supposing that Mr. Colman has misrepresented what took place in Joseph's cell, as well as what took place in Frank's cell. Again, Phippen Knapp is directly contradicted by Mr. Wheatland. Mr. Wheatland tells the same story, as coming from Phippen Knapp, that Colman now tells. Here there are two against one. Phippen Knapp says that Frank made no confessions, and that he said he had none to make. In this he is contradicted by Wheatland. He, Phippen Knapp, told Wheatland that Mr. Colman did ask Frank some questions, and that Frank answered them. He told him also what these answers were. Wheatland does not recollect the questions or answers, but recollects his reply, which was: "Is not this premature? I think this answer is sufficient to make Frank a principal." Here Phippen Knapp opposes himself to Wheatland, as well as to Mr. Colman.

Do you believe Phippen Knapp against these two respectable witnesses, or them against him? Is not Mr. Colman's testimony credible, natural, and proper? To judge of this, you must go back to that scene. The murder had been committed. The two Knapps were now arrested. Four persons were already in jail supposed to be concerned in it,—the Crowninshields, and Selman, and Chase. Another person at the eastward was

supposed to be in the plot. It was important to learn the facts. To do this, some one of those suspected must be admitted to turn state's witness. The contest was, who should have this privilege? It was understood that it was about to be offered to Palmer, then in Maine. There was no good reason why he should have the preference. Mr. Colman felt interested for the family of the Knapps, and particularly for Joseph. He was a young man who had hitherto maintained a fair standing in society. He was a husband. Mr. Colman was particularly intimate with his family. With these views he went to the prison. He believed that he might safely converse with the prisoner, because he thought confessions made to a clergyman were sacred, and that he could not be called upon to disclose them. He went, the first time, in the morning, and was requested to come again. He went again at three o'clock, and was requested to call again at five o'clock. In the meantime he saw the father and Phippen, and they wished he would not go again, because it would be said the prisoners were making confession. He said he had engaged to go again at five o'clock, but would not, if Phippen would excuse him to Joseph. Phippen engaged to do this, and to meet him at his office at five o'clock. Mr. Colman went to the office at the time, and waited; but, as Phippen was not there, he walked down street, and saw him coming from the jail. He met him, and while in conversation near the church, he saw Mrs. Beckford and Mrs. Knapp going in a chaise towards the jail. He hastened to meet them, as he thought it not proper for them to go in at that time. While conversing with them near the jail, he received two distinct messages from Joseph that he wished to see him. He thought it proper to go, and, accordingly, went to Joseph's cell, and it was while there that the disclosures were made. Before Joseph had finished his statement, Phippen came to the door. He was soon after admitted. A short interval ensued, and they went together to the cell of Frank. Mr. Colman went in by invitation of Phippen. He had come directly from the cell of Joseph, where he had for the first time learned the incidents of the tragedy. He was incredulous as to some of the facts which he had learned, they were so different from his previous impressions. He was desirous of knowing whether he could place confidence in what Joseph had told him. He therefore put the questions to Frank as he has testified before you, in answer to which Frank Knapp informed him: (1) That the murder took place between ten and eleven o'clock; (2) that Richard Crowninshield was alone in the house; (3) that he, Frank Knapp, went home afterwards; (4) that the club was deposited under the steps of the Howard street meeting house, and under the part nearest the burying ground, in a rat hole; (5) that the dagger or daggers had been worked up at the factory. It is said that these five

answers just fit the case; that they are just what was wanted, and neither more nor less. True, they are; but the reason is because truth always fits. Truth is always congruous, and agrees with itself. Every truth in the universe agrees with every other truth in the universe; whereas falsehoods not only disagree with truths, but usually quarrel among themselves. Surely Mr. Colman is influenced by no bias, no prejudice. He has no feelings to warp him, except, now that he is contradicted, he may feel an interest to be believed. If you believe Mr. Colman, then the evidence is fairly in the case.

I shall now proceed on the ground that you do believe Mr. Colman. When told that Joseph had determined to confess, the defendant said: "It is hard or unfair that Joseph should have the benefit of confessing, since the thing was done for his benefit." What thing was done for his benefit? Does not this carry an implication of the guilt of the defendant? Does it not show that he had a knowledge of the object and history of the murder? The defendant said: "I told Joseph, when he proposed it, that it was a silly business, and would get us into trouble." He knew, then, what this business was. He knew that Joseph proposed it, and that he agreed to it, else he could not get us into trouble. He understood its bearing and its consequences. Thus much was said, under circumstances that make it clearly evidence against him, before there is any pretense of an inducement held out. And does not this prove him to have had a knowledge of the conspiracy? He knew the daggers had been destroyed, and he knew who committed the murder. How could he have innocently known these facts? Why, if by Richard's story, this shows him guilty of a knowiedge of the murder and of the conspiracy. More than all, he knew when the deed was done, and that he went home afterwards. This shows his participation in that deed. "Went home afterwards!" Home from what scene? home from what fact? home from what transaction? home from what place? This confirms the supposition that the prisoner was in Brown street for the purposes ascribed to him. These questions were directly put, and directly answered. He does not intimate that he received the information from another. Now, if he knows the time, and went home afterwards, and does not excuse himself, is not this an admission that he had a hand in this murder? Already proved to be a conspirator in the murder, he now confesses that he knew who did it, at what time it was done, that he was himself out of his own house at the time, and went home afterwards. Is not this conclusive, if not explained? Then comes the club. He told where it was. This is like possession of stolen goods. He is charged with the guilty knowledge of this concealment. He must show, not say, how he came by this knowledge. If a man be found with stolen goods, he

must prove how he came by them. The place of deposit of the club was premeditated and selected, and he knew where it was.

Joseph Knapp was an accessory, and an accessory only; he knew only what was told him. But the prisoner knew the particular spot in which the club might be found. This shows his knowledge something more than that of an accessory. This presumption must be rebutted by evidence, or it stands strong against him. He has too much knowledge of this transaction to have come innocently by it. It must stand against him until he explains it.

This testimony of Mr. Colman is represented as new matter, and therefore an attempt has been made to excite a prejudice against it. It is not so. How little is there in it, after all, that did not appear from other sources? It is mainly confirmatory. Compare what you learn from this confession with what you before knew: As to its being proposed by Joseph, was not that known? As to Richard's being alone in the house, was not that known? As to the daggers, was not that known? As to the time of the murder, was not that known? As to his being out that night, was not that known? As to his returning afterwards, was not that known? As to the club, was not that known? So this information concerns what was known before, and fully confirms it.

One word as to the interview between Mr. Colman and Phippen Knapp on the turnpike. It is said that Mr. Colman's conduct in this matter is inconsistent with his testimony. There does not appear to me to be any inconsistency. He tells you that his object was to save Joseph, and to hurt no one, and least of all the prisoner at the bar. He had probably told Mr. White the substance of what he heard at the prison. He had probably told him that Frank confirmed what Joseph had confessed. He was unwilling to be the instrument of harm to Frank. He therefore, at the request of Phippen Knapp, wrote a note to Mr. White, requesting him to consider Joseph as authority for the information he had received. He tells you that this is the only thing he has to regret, as it may seem to be an evasion, as he doubts whether it was entirely correct. If it was an evasion, if it was a deviation, if it was an error, it was an error of mercy, an error of kindness,—an error that proves he had no hostility to the prisoner at the bar. It does not in the least vary his testimony or affect its correctness. Gentlemen, I look on the evidence of Mr. Colman as highly important; not as bringing into the cause new facts, but as confirming, in a very satisfactory manner, other evidence. It is incredible that he can be false, and that he is seeking the prisoner's life through false swearing. If he is true, it is incredible that the prisoner can be innocent.

Gentlemen, I have gone through with the evidence in this case, and

have endeavored to state it plainly and fairly before you. I think there are conclusions to be drawn from it, the accuracy of which you cannot doubt. I think you cannot doubt that there was a conspiracy formed for the purpose of committing this murder, and who the conspirators were; that you cannot doubt that the Crowninshields and the Knapps were the parties in this conspiracy; that you cannot doubt that the prisoner at the bar knew that the murder was to be done on the night of the 6th of April; that you cannot doubt that the murderers of Captain White were the suspicious persons seen in and about Brown street on that night; that you cannot doubt that Richard Crowninshield was the perpetrator of that crime; that you cannot doubt that the prisoner at the bar was in Brown street on that night. If there, then it must be by agreement, to countenance, to aid, the perpetrator, and, if so, then he is guilty as principal.

Gentlemen, your whole concern should be to do your duty, and leave consequences to take care of themselves. You will receive the law from the court. Your verdict, it is true, may endanger the prisoner's life, but then it is to save other lives. If the prisoner's guilt has been shown and proved beyond all reasonable doubt, you will convict him. If such reasonable doubts of guilt still remain, you will acquit him. You are the judges of the whole case. You owe a duty to the public, as well as to the prisoner at the bar. You cannot presume to be wiser than the law. Your duty is a plain, straightforward one. Doubtless we would all judge him in mercy. Towards him, as an individual, the law inculcates no hostility; but towards him, if proved to be a murderer, the law, and the oaths you have taken, and public justice demand that you do your duty. With consciences satisfied with the discharge of duty, no consequences can harm you. There is no evil that we cannot either face or fly from but the consciousness of duty disregarded. A sense of duty pursues us ever. It is omnipresent, like the Deity. If we take to ourselves the wings of the morning, and dwell in the uttermost parts of the sea, duty performed or duty violated is still with us, for our happiness or our misery. If we say the darkness shall cover us, in the darkness, as in the light, our obligations are yet with us. We cannot escape their power, nor fly from their presence. They are with us in this life, will be with us at its close; and in that scene of inconceivable solemnity, which lies yet farther onward, we shall still find ourselves surrounded by the consciousness of duty, to pain us wherever it has been violated, and to console us so far as God may have given us grace to perform it.

§ 2

THE DEFENSE OF LORD GORDON

By Thomas Erskine

[Delivered in the Court of King's Bench, before Lord Chief Justice Mansfield and a special jury, 1781.]

The occasion which led to the prosecution of Lord Gordon will be familiar to readers of Dickens' "Barnaby Rudge." Lord Gordon, an enthusiastic young Scottish nobleman, had been chosen president of the Protestant Association, whose object was to procure the repeal of Sir George Saville's act in favor of the Catholics. This statute, which simply relieved the Roman Catholic subjects of England from some of the penalties to which they had long been subject, did not apply to Scotland. The winter following its passage, a movement was begun to extend its provisions to Scotland. This produced tumult in Edinburgh, in which some popish chapels and mass houses were destroyed, and further efforts in this direction were abandoned. A great number of Protestant societies were soon formed in Scotland and in England for the purpose of petitioning parliament to repeal Sir George Saville's act, which was represented at their meetings, and branded in their publications, as fraught with danger to the constitution. Their resolutions and petitions were publicly printed and distributed for several months, with a view to influencing parliament. At length, as president of the London Association, Lord Gordon directed the members to meet him in St. George's Fields, and proceed thence to the parliament house with a petition for the repeal of the bill. Accordingly, on the second of June, 1780, about forty thousand persons, composed mostly of the middle classes, assembled and blocked up all the avenues to the house of commons. They were not armed, and most of them were orderly in their conduct, though individuals among them insulted some members of parliament who were passing into the building, requiring them to put blue cockades on their hats, and to cry, "No popery." Lord Gordon presented the petition, but the house refused, by a vote of 192 to 6, to consider it at that time. The multitude then became disorderly, and the whole affair took a serious turn. Bodies of men proceeded to demolish the Catholic chapels at the residences of the foreign ministers. Desperate men took the lead; the London prisons were broken open and destroyed; thirty-six fires were started at various points during the night; Lord Mansfield's house was destroyed; breweries and distilleries were broken open, and the mob became infuriated with liquor. The government was taken by surprise, and for several days the city was completely in the power of the mob. The militia were at last called in from the country, and the riot put down; not, however, until nearly five hundred persons had been killed or wounded, exclusive of those who perished from the effects of intoxication.

Thomas (Lord) Erskine. Born at Edinburgh, January 10, 1750; educated at St. Andrews University; called to the bar at Lincoln Inn, London, July, 1778; in 1806 was made Lord Chancellor and elevated to the peerage; died at Linlithgowshire, Scotland, November 17, 1823.

Lord Gordon was promptly arraigned for high treason. The trial came on before Chief Justice Mansfield and a special jury in the court of king's bench. The attorney general appeared for the crown. Lloyd Kenyon (afterwards chief justice) and Thomas Erskine represented the defendant. The prosecution contended that the prisoner, in assembling the multitude round the houses of parliament, if he did so with a view to overawe and intimidate the legislature, and enforce his purposes by numbers and violence, was guilty of treason in levying war against the king in his realm, within the statute of treasons of Edward III.,—a doctrine which was fully confirmed by the court. It was contended, moreover, that the overt acts proved might fairly be construed into such a design, being, in fact, the only evidence by which a traitorous design, in such a case, could be shown. After Kenyon had opened the case for the prisoner, Erskine having claimed the privilege of speaking to the whole evidence, the witnesses for the defense were called. The Rev. Mr. Middleton, a member of the Protestant Association, testified to the prisoner's loyalty to the king and attachment to the constitution; that his speeches at the meetings of the association never contained an expression tending directly or indirectly to a repeal of the bill by force; that he desired the people not even to carry sticks in the procession, and begged that riotous persons might be delivered to the constable. Dr. Evans, an eminent surgeon, declared that he saw the prisoner in St. George's Fields, and that his conduct and expressions indicated that he wished and endeavored to prevent all disorder. This was confirmed by others; and it was proved that the bulk of the people around the parliament house and in the lobby were not members of the association, but idlers, vagabonds, and pickpockets, who had thrust themselves in, so that the persons who had insulted the members were of a totally different class from those who formed the original gathering. The Earl of Lonsdale, who took the prisoner home from the house in his carriage, swore that Lord Gordon, in reply to inquiries from the great multitudes surrounding him as to the fate of the petition, answered that it was uncertain, and earnestly entreated them to retire to their homes and be quiet. It was past midnight when the evidence was all in. Erskine then addressed the jury in the following speech. It will be observed that Erskine did not take issue with the authorities as to what constituted treason. "If it had been proved," he said, "that the same multitude, under the direction of Lord George Gordon, had afterwards attacked the bank, broke open the prisons, and set London in a conflagration, I should not now be addressing you." In other words, such acts would have been treason by levying war, and actually were so in the case of those who committed them. The defense was that Lord Gordon had nothing to do with the riots, which were, so far as he was concerned, the unintended and unexpected consequences of his imprudent conduct in putting himself at the head of a mob for the purpose of tumultuous petitioning. And Chief Justice Mansfield charged the jury that, "if this multitude assembled with intent, by acts of force and violence, to compel the legislature to repeal the law, it is high treason." The jury withdrew at three o'clock in the morning, and promptly returned with a verdict of not guilty.[1]

[1] Veeder's "Legal Masterpieces," pp. 44-46.

GENTLEMEN OF THE JURY: Mr. Kenyon having informed the court that we propose to call no other witnesses, it is now my duty to address myself to you as counsel for the noble prisoner at the bar, the whole

[1] 21 Howell, St. Tr. 485.

evidence being closed. I use the word "closed" because it certainly is not finished, since I have been obliged to leave the seat in which I sat to disentangle myself from the volumes of men's names which lay there under my feet, whose testimony, had it been necessary for the defense, would have confirmed all the facts that are already in evidence before you.

Gentlemen, I feel myself entitled to expect, both from you and from the court, the greatest indulgence and attention. I am, indeed, a greater object of your compassion than even my noble friend whom I am defending. He rests secure in conscious innocence, and in the well-placed assurance that it can suffer no stain in your hands. Not so with me. I stand before you a troubled, I am afraid a guilty, man, in having presumed to accept of the awful task which I am now called upon to perform,—a task which my learned friend who spoke before me, though he has justly risen, by extraordinary capacity and experience, to the highest rank in his profession, has spoken of with that distrust and diffidence which becomes every Christian in a cause of blood. If Mr. Kenyon has such feelings, think what mine must be! Alas! gentlemen, who am I? A young man of little experience, unused to the bar of criminal courts, and sinking under the dreadful consciousness of my defects. I have, however, this consolation: that no ignorance nor inattention on my part can possibly prevent you from seeing, under the direction of the judges, that the crown has established no case of treason.

Gentlemen, I did expect that the attorney general, in opening a great and solemn state prosecution, would have at least indulged the advocates for the prisoner with his notions on the law, as applied to the case before you, in less general terms. It is very common, indeed, in little civil actions, to make such obscure introductions by way of trap; but in criminal cases it is unusual and unbecoming, because the right of the crown to reply, even where no witnesses are called by the prisoner, gives it thereby the advantage of replying, without having given scope for observations on the principles of the opening, with which the reply must be consistent.

One observation he has, however, made on the subject, in the truth of which I heartily concur, *viz.*, that the crime of which the noble person at your bar stands accused is the very highest and most atrocious that a member of civil life can possibly commit, because it is not, like all other crimes, merely an injury to society from the breach of some of its reciprocal relations, but is an attempt utterly to dissolve and destroy society altogether.

In nothing, therefore, is the wisdom and justice of our laws so strongly and eminently manifested as in the rigid, accurate, cautious, explicit,

unequivocal definition of what shall constitute this high offense. For, high treason consisting in the breach and dissolution of that allegiance which binds society together, if it were left ambiguous, uncertain, or undefined, all the other laws established for the personal security of the subject would be utterly useless, since this offense, which, from its nature, is so capable of being created and judged of by the rules of political expediency on the spur of the occasion, would be a rod at will to bruise the most virtuous members of the community whenever virtue might become troublesome or obnoxious to a bad government.

Injuries to the persons and properties of our neighbors, considered as individuals, which are the subjects of all other criminal prosecutions, are not only capable of greater precision, but the powers of the state can be but rarely interested in straining them beyond their legal interpretation. But if treason, where the government is directly offended, were left to the judgment of its ministers, without any boundaries,—nay, without the most broad, distinct, and inviolable boundaries marked out by the law,—there could be no public freedom. The condition of an Englishman would be no better than a slave's at the foot of a sultan, since there is little difference whether a man dies by the stroke of a saber, without the forms of a trial, or by the most pompous ceremonies of justice, if the crime could be made at pleasure by the state to fit the fact that was to be tried. Would to God, gentlemen of the jury, that this were an observation of theory alone, and that the page of our history was not blotted with so many melancholy, disgraceful proofs of its truth! But these proofs, melancholy and disgraceful as they are, have become glorious monuments of the wisdom of our fathers, and ought to be a theme of rejoicing and emulation to us. For, from the mischiefs constantly arising to the state from every extension of the ancient law of treason, the ancient law of treason has been always restored, and the constitution at different periods washed clean, though, unhappily, with the blood of oppressed and innocent men.

When I speak of the ancient law of treason, I mean the venerable statute of King Edward the Third, on which the indictment you are now trying is framed,—a statue made, as its preamble sets forth, for the more precise definition of this crime, which has not, by the common law, been sufficiently explained,—and consisting of different and distinct members, the plain unextended letter of which was thought to be a sufficient protection to the person and honor of the sovereign, and an adequate security to the laws committed to his execution. I shall mention only two of the number, the others not being in the remotest degree applicable to the present accusation.

First, to compass or imagine the death of the king; such imagination

or purpose of the mind (visible only to its great Author) being manifested by some open act; an institution obviously directed, not only to the security of his natural person, but to the stability of the government, since the life of the prince is so interwoven with the constitution of the state that an attempt to destroy the one is justly held to be rebellious conspiracy against the other.

Second (which is the crime charged in the indictment), to levy war against him in his realm,—a term that one would think could require no explanation, nor admit of any ambiguous construction, among men who are willing to read laws according to the plain signification of the language in which they are written, but which has, nevertheless, been an abundant source of that constructive cavil which this sacred and valuable act was made expressly to prevent. The real meaning of this branch of it, as it bottomed in policy, reason, and justice; as it is ordained in plain, unambiguous words; as it is confirmed by the precedents of justice, and illustrated by the writings of the great lights of the law in different ages of our history,—I shall, before I sit down, impress upon your minds as a safe, unerring standard by which to measure the evidence you have heard. At present I shall only say that, far and wide as judicial decisions have strained the construction of levying war beyond the warrant of the statute, to the discontent of some of the greatest ornaments of the profession, they hurt not me. As a citizen I may disapprove of them, but as advocate for the noble person at your bar I need not impeach their authority. For none of them have said more than this: "That war may be levied against the king in his realm, not only by an insurrection to change or to destroy the fundamental constitution of the government itself by rebellious war, but, by the same war, to endeavor to suppress the execution of the laws it has enacted, or to violate and overbear the protection they afford, not to individuals (which is a private wrong), but to any general class or description of the community, by premeditated, open acts of violence, hostility, and force."

Gentlemen, I repeat these words, and call solemnly on the judges to attend to what I say, and to contradict me if I mistake the law: "By premeditated, open acts of violence, hostility, and force,"—nothing equivocal, nothing ambiguous, no intimidations or overawings, which signify nothing precise or certain (because what frightens one man or set of men may have no effect upon another), but that which compels and coerces,—open violence and force.

Gentlemen, this is not only the whole text, but, I submit it to the learned judges, under whose correction I am happy to speak an accurate explanation of the statute of treason, as far as it relates to the present

subject, taken in its utmost extent of judicial construction, and which you cannot but see, not only in its letter, but in its most strained signification, is confined to acts which immediately, openly, and unambiguously strike at the very root and being of government, and not to any other offenses, however injurious to its peace.

Such were the boundaries of high treason marked out in the reign of Edward the Third; and as often as the vices of bad princes, assisted by weak, submissive parliaments, extended state offenses beyond the strict letter of that act, so often the virtue of better princes and wiser parliaments brought them back again. A long list of new treasons, accumulated in the wretched reign of Richard the Second, from which (to use the language of the act that repealed them) "no man knew what to do or say for doubt of the pains of death," were swept away in the first year of Henry the Fourth, his successor; and many more, which had again sprung up in the following distracted arbitrary reigns, putting tumults and riots on a footing with armed rebellion, were again leveled in the first year of Queen Mary, and the statute of Edward made once more the standard of treasons. The acts, indeed, for securing his present majesty's illustrious house from the machinations of those very papists who are now so highly in favor, have, since that time, been added to the list. But these not being applicable to the present case, the ancient statute is still our only guide, which is so plain and simple in its object—so explicit and correct in its terms—as to leave no room for intrinsic error; and the wisdom of its authors has shut the door against all extension of its plain letter, declaring, in the very body of the act itself, that nothing out of that plain letter should be brought within the pale of treason by inference or construction, but that, if any such cases happened, they should be referred to the parliament.

This wise restriction has been the subject of much just eulogium by all the most celebrated writers on the criminal law of England. Lord Coke says the parliament that made it was on that account called "benedictum," or "blessed"; and the learned and virtuous Judge Hale, a bitter enemy and opposer of constructive treason, speaks of this sacred institution with that enthusiasm which it cannot but inspire in the breast of every lover of the just privileges of mankind.

Gentlemen, in these mild days, when juries are so free and judges so independent, perhaps all these observations might have been spared as unnecessary; but they can do no harm, and this history of treason, so honorable to England, cannot (even imperfectly as I have given it) be unpleasant to Englishmen. At all events, it cannot be thought an inapplicable introduction to saying that Lord George Gordon, who stands before you indicted for that crime, is not—cannot be—guilty of it, unless

he has levied war against the king in his realm, contrary to the plain letter, spirit, and intention of the act of the twenty-fifth of Edward the Third,—to be extended by no new or occasional construction, to be strained by no fancied analogies, to be measured by no rules of political expediency, to be judged of by no theory, to be determined by the wisdom of no individual, however wise, but to be expounded by the simple, genuine letter of the law.

Gentlemen, the only overt act charged in the indictment is the assembling the multitude, which we all of us remember went up with the petition of the Associated Protestants on the second day of last June. In addressing myself to a humane and sensible jury of Englishmen, sitting in judgment on the life of a fellow citizen, more especially under the direction of a court so filled as this is, I trust I need not remind you that the purposes of that multitude, as originally assembled on that day, and the purposes and acts of him who assembled them, are the sole objects of investigation. All the dismal consequences which followed, and which naturally link themselves with this subject in the firmest minds, must be altogether cut off, and abstracted from your attention, further than the evidence warrants their admission. If the evidence had been coextensive with these consequences—if it had been proved that the same multitude, under the direction of Lord George Gordon, had afterwards attacked the bank, broke open the prisons, and set London in a conflagration,—I should not now be addressing you. Do me the justice to believe that I am neither so foolish as to imagine I could have defended him, nor so profligate to wish it if I could. But when it has appeared, not only by the evidence in the cause, but by the evidence of the thing itself,—by the issues of life, which may be called the evidence of Heaven,—that these dreadful events were either entirely unconnected with the assembling of that multitude to attend the petition of the Protestants, or, at the very worst, the unforeseen, undesigned, unabetted, and deeply-regretted consequences of it, I confess the seriousness and solemnity of this trial sink and dwindle away. Only abstract from your minds all that misfortune, accident, and the wickedness of others have brought upon the scene, and the cause requires no advocate. When I say that it requires no advocate, I mean that it requires no argument to screen it from the guilt of treason. For though I am perfectly convinced of the purity of my noble friend's intentions, yet I am not bound to defend his prudence, nor to set it up as a pattern for imitation, since you are not trying him for imprudence, for indiscrete zeal, or for want of foresight and precaution, but for a deliberate and malicious predetermination to overpower the laws and government of his country by hostile, rebellious force.

The indictment, therefore, first charges that the multitude assembled on the second of June "were armed and arrayed in a war-like manner," which, indeed, if it had omitted to charge, we should not have troubled you with any defense at all, because no judgment could have been given on so defective an indictment; for the statute never meant to put an unarmed assembly of citizens on a footing with armed rebellion, and the crime, whatever it is, must always appear on the record to warrant the judgment of the court.

It is certainly true that it has been held to be matter of evidence, and dependent on circumstances, what numbers, or species of equipment and order, though not the regular equipment and order of soldiers, shall constitute an army, so as to maintain the averment in the indictment of a warlike array; and, likewise, what kind of violence, though not pointed at the king's person, or the existence of the government, shall be construed to be war against the king. But as it has never yet been maintained in argument, in any court of the kingdom, or even speculated upon in theory, that a multitude, without either weapons, offensive or defensive, of any sort or kind, and yet not supplying the want of them by such acts of violence as multitudes sufficiently great can achieve without them, was a hostile army, within the statute; as it has never been asserted by the wildest adventurer in constructive treason that a multitude, armed with nothing, threatening nothing, and doing nothing, was an army levying war,—I am entitled to say that the evidence does not support the first charge in the indictment, but that, on the contrary, it is manifestly false, —false in the knowledge of the crown, which prosecutes it; false in the knowledge of every man in London who was not bedridden on Friday, the 2nd of June, and who saw the peaceable demeanor of the Associated Protestants.

But you will hear, no doubt, from the solicitor general (for they have saved all their intelligence for the reply), that fury supplies arms,—*Furor arma ministrat,*—and the case of Damaree will, I suppose, be referred to, where the people assembled had no banners or arms, but only clubs and bludgeons, yet the ringleader, who led them on to mischief, was adjudged to be guilty of high treason for levying war. This judgment it is not my purpose to impeach, for I have no time for digression to points that do not press upon me. In the case of Damaree, the mob, though not regularly armed, were provided with such weapons as best suited their mischievous designs. There designs were, besides, open and avowed, and all the mischief was done that could have been accomplished if they had been in the completest armor. They burned dissenting meeting-houses protected by law, and Damaree was taken at their head, *in flagrante delicto,* with a torch in his hand, not only in

the very act of destroying one of them, but leading on his followers, in person, to the avowed destruction of all the rest. There could, therefore, be no doubt of his purpose and intention, nor any great doubt that the perpetration of such purpose was, from its generality, high treason, if perpetrated by such a force as distinguishes a felonious riot from a treasonable levying of war. The principal doubt, therefore, in that case, was whether such an unarmed, riotous force was war, within the meaning of the statute, and on that point very learned men have differed; nor shall I attempt to decide between them, because in this one point they all agree. Gentlemen, I beseech you to attend to me here. I say on this point they all agree: that it is the intention of assembling them which forms the guilt of treason. I will give you the words of high authority, the learned Foster, whose private opinions will, no doubt, be pressed upon you as a doctrine and law, and which, if taken together, as all opinions ought to be, and not extracted in smuggled sentences to serve a shallow trick, I am contented to consider as authority.

That great judge, immediately after supporting the case of Damaree as a levying war, within the statute, against the opinion of Hale in a similar case, namely, the destruction of bawdy houses, which happened in his time, says: "The true criterion, therefore, seems to be, *quo animo* did the parties assemble?—with what intention did they meet?" On that issue, then, in which I am supported by the whole body of the criminal law of England, concerning which there are no practical precedents of the courts that clash, nor even abstract opinions of the closet that differ, I come forth with boldness to meet the crown. For, even supposing that peaceable multitude, though not hostilely arrayed; though without one species of weapon among them; though assembled without plot or disguise by a public advertisement, exhorting, nay, commanding, peace, and inviting the magistrates to be present to restore it, if broken; though composed of thousands who are now standing around you, unimpeached and unreproved, yet who are all principals in treason, if such assembly was treason,—supposing, I say, this multitude to be, nevertheless, an army, within the statute, still the great question would remain behind, on which the guilt or innocence of the accused must singly depend, and which it is your exclusive province to determine, namely, whether they were assembled by my noble client for the traitorous purpose charged in the indictment. For war must not only be levied, but it must be levied against the king in his realm, *i. e.*, either directly against his person to alter the constitution of the government, of which he is the head, or to suppress the laws committed to his execution by rebellious force. You must find that Lord George Gordon assembled

these men with that traitorous intention. You must find not merely a riotous, illegal petitioning; not a tumultuous, indecent importunity to influence parliament; not the compulsion of motive from seeing so great a body of people united equivocal compulsion of force, from the hostile acts of numbers united in rebellious conspiracy and arms.

This is the issue you are to try, for crimes of all denominations consist wholly in the purpose of the human will producing the act. *"Actus non facit reum nisi mens sit rea,"*—the act does not constitute guilt unless the mind be guilty. This is the great text from which the whole moral of penal justice is deduced. It stands at the top of the criminal page throughout all the volumes of our humane and sensible laws, and Lord Chief Justice Coke, whose chapter on this crime is the most authoritative and masterly of all his valuable works, ends almost every sentence with an emphatical repetition of it.

The indictment must charge an open act, because the purpose of the mind, which is the object of trial, can only be known by actions. Or, again to use the words of Foster, who has ably and accurately expressed it: "The traitorous purpose is the treason; the overt act, the means made use of to effectuate the intentions of the heart." But why should I borrow the language of Foster, or of any other man, when the language of the indictment itself is lying before our eyes? What does it say? Does it directly charge the overt act as in itself constituting the crime? No; it charges that the prisoner "maliciously and traitorously did compass, imagine, and intend to raise and levy war and rebellion against the king,"—this is the malice prepense of treason,—and that, to fulfil and bring to effect such traitorous compassings and intentions, he did, on the day mentioned in the indictment, actually assemble them, and levy war and rebellion against the king. Thus the law, which is made to correct and punish the wickedness of the heart, and not the unconscious deeds of the body, goes up to the fountain of human agency, and arraigns the lurking mischief of the soul, dragging it to light by evidence of open acts. The hostile mind is the crime; and therefore, unless the matters that are in evidence before you do, beyond all doubt or possibility of error, convince you that the prisoner is a determined traitor in his heart, he is not guilty.

It is the same principle which creates all the various degrees of homicide, from that which is excusable to the malignant guilt of murder. The fact is the same in all. The death of the man is the imputed crime; but the intention makes all the difference, and he who killed him is pronounced a murderer—a simple felon—or only an unfortunate man, as the circumstances, by which his mind has been deciphered to the jury,

show it to have been cankered by deliberate wickedness, or stirred up by sudden passions.

Here an immense multitude was, beyond all doubt, assembled on the second of June. But whether he that assembled them be guilty of high treason, of a high misdemeanor, or only of a breach of the act of King Charles the Second against tumultuous petitioning (if such an act still exists), depends wholly upon the evidence of his purpose in assembling them, to be gathered by you, and by you alone, from the whole tenor of his conduct; and to be gathered, not by inference or probability or reasonable presumption, but, in the words of the act, provably,—that is, in the full, unerring force of demonstration. You are called, upon your oaths, to say, not whether Lord George Gordon assembled the multitudes in the place charged in the indictment, for that is not denied, but whether it appears, by the facts produced in evidence for the crown when confronted with the proofs which we have laid before you, that he assembled them in hostile array and with a hostile mind, to take the laws into his own hands by main force, and to dissolve the constitution of the government unless his petition should be listened to by parliament. That is your exclusive province to determine. The court can only tell you what acts the law, in its general theory, holds to be high treason, on the general assumption that such acts proceed from traitorous purposes; but they must leave it to your decision, and to yours alone, whether the acts proved appear, in the present instance, under all the circumstances, to have arisen from the causes which form the essence of this high crime.

Gentlemen, you have now heard the law of treason,—first, in the abstract, and, secondly, as it applies to the general features of the case,—and you have heard it with as much sincerity as if I had addressed you upon my oath from the bench where the judges sit. I declare to you solemnly, in the presence of that great Being at whose bar we must all hereafter appear, that I have used no one art of an advocate, but have acted the plain, unaffected part of a Christian man, instructing the consciences of his fellow citizens to do justice. If I have deceived you on this subject, I am myself deceived; and if I am misled through ignorance, my ignorance is incurable, for I have spared no pains to understand it. I am not stiff in opinions, but, before I change any of those that I have given you to-day, I must see some direct monument of justice that contradicts them; for the law of England pays no respect to theories, however ingenious, or to authors, however wise, and therefore, unless you hear me refuted by a series of direct precedents, and not by vague doctrine, if you wish to sleep in peace, follow me.

And now the most important part of our task begins, namely, the ap-

plication of the evidence to the doctrines I have laid down; for trial is nothing more than the reference of facts to a certain rule of action, and a long recapitulation of them only serves to distract and perplex the memory, without enlightening the judgment, unless the great standard principle by which they are to be measured is fixed and rooted in the mind. When that is done (which I am confident has been done by you) everything worthy of observation falls naturally into its place, and the result is safe and certain.

Gentlemen, it is already in proof before you (indeed, it is now a matter of history) that an act of parliament passed in the session of 1778 for the repeal of certain restrictions which the policy of our ancestors had imposed upon the Roman Catholic religion to prevent its extension, and to render its limited toleration harmless,—restrictions imposed, not because our ancestors took upon them to pronounce that faith to be offensive to God, but because it was incompatible with good faith to man, being utterly inconsistent with allegiance to a Protestant government, from their oaths and obligations, to which it gave them not only a release, but a crown of glory, as the reward of treachery and treason.

It was, indeed, with astonishment that I heard the attorney general stigmatize those wise regulations of our patriot ancestors with the title of "factious and cruel impositions on the consciences and liberties of their fellow citizens." Gentlemen, they were, at the time, wise and salutary regulations; regulations to which this country owes its freedom, and his majesty his crown,—a crown which he wears under the strict entail of professing and protecting that religion which they were made to repress, and which I know my noble friend at the bar joins with me, and with all good men, in wishing that he and his posterity may wear forever.

It is not my purpose to recall to your minds the fatal effects which bigotry has, in former days, produced in this island. I will not follow the example the crown has set me, by making an attack upon your passions on subjects foreign to the object before you. I will not call your attention from those flames, kindled by a villainous banditti (which they have thought fit, in defiance to evidence, to introduce), by bringing before your eyes the more cruel flames in which the bodies of our expiring, meek, patient, Christian fathers were, little more than a century ago, consuming in Smithfield. I will not call up from the graves of martyrs all the precious, holy blood that has been spilled in this land to save its established government and its reformed religion from the secret villainy and the open force of papists. The cause does not stand in need even of such honest arts; and I feel my heart too big voluntarily to recite such scenes, when I reflect that some of my own, and my best and dearest, progenitors, from whom I glory to be descended, ended their

innocent lives in prisons and in exile, only because they were Protestants.

Gentlemen, whether the great lights of science and of commerce, which, since those disgraceful times, have illuminated Europe, may, by dispelling these shocking prejudices, have rendered the papists of this day as safe and trusty subjects as those who conform to the national religion established by law, I shall not take upon me to determine. It is wholly unconnected with the present inquiry. We are not trying to question either of divinity or civil policy, and I shall therefore not enter at all into the motives or merits of the act that produced the Protestant petition to parliament. It was certainly introduced by persons who cannot be named by any good citizen without affection and respect. But this I will say, without fear of contradiction, that it was sudden and unexpected; that it passed with uncommon precipitation, considering the magnitude of the object; that it underwent no discussion; and that the heads of the church —the constitutional guardians of the national religion—were never consulted upon it. Under such circumstances, it is no wonder that many sincere Protestants were alarmed; and they had a right to spread their apprehensions. It is the privilege and the duty of all the subjects of England to watch over their religious and civil liberties, and to approach either their representatives or the throne with their fears and their complaints,—a privilege which has been bought with the dearest blood of our ancestors, and which is confirmed to us by law, as our ancient birthright and inheritance.

Soon after the repeal of the act, the Protestant Association began, and, from small beginnings, extended over England and Scotland. A deed of association was signed, by all legal means to oppose the growth of popery; and which of the advocates for the crown will stand up and say that such a union was illegal? Their union was perfectly constitutional; there was no obligation of secrecy; their transactions were all public; a committee was appointed for regularity and correspondence; and circular letters were sent to all the dignitaries of the church, inviting them to join with them in the protection of the national religion.

All this happened before Lord George Gordon was a member of, or the most distantly connected with, it, for it was not till November, 1779, that the London Association made him an offer of their chair, by a unanimous resolution, communicated to him, unsought and unexpected, in a public letter, signed by the secretary in the name of the whole body; and from that day to the day he was committed to the Tower I will lead him by the hand in your view, that you may see there is no blame in him. Though all his behavior was unreserved and public, and though watched by wicked men for purposes of vengeance, the crown has totally failed

in giving it such a context as can justify, in the mind of any reasonable man, the conclusion it seeks to establish.

This will fully appear hereafter; but let us first attend to the evidence on the part of the crown.

The first witness to support this prosecution is William Hay,—a bankrupt in fortune he acknowledges himself to be, and I am afraid he is a bankrupt in conscience. Such a scene of impudent, ridiculous inconsistency would have utterly destroyed his credibility in the most trifling civil suit, and I am therefore almost ashamed to remind you of his evidence, when I reflect that you will never suffer it to glance across your minds on this solemn occasion.

This man, whom I may now, without offense or slander, point out to you as a dark, popish spy, who attended the meetings of the London Association to pervert their harmless purposes, conscious that the discovery of his character would invalidate all his testimony, endeavored at first to conceal the activity of his zeal by denying that he had seen any of the destructive scenes imputed to the Protestants. Yet, almost in the same breath, it came out, by his own confession, that there was hardly a place, public or private, where riot had erected her standard, in which he had not been; nor a house, prison, or chapel that was destroyed, to the demolition of which he had not been a witness. He was at Newgate, the Fleet, at Langdale's, and at Coleman street; at the Sardinian embassador's, and in Great Queen street, Lincoln's Inn Fields. What took him to Coachmaker's Hall? He went there, as he told us, to watch their proceedings, because he expected no good from them; and to justify his prophecy of evil, he said, on his examination by the crown, that, as early as December, he had heard some alarming republican language. What language did he remember? "Why, that the lord advocate of Scotland was called only Harry Dundas!" Finding this too ridiculous for so grave an occasion, he endeavored to put some words about the breach of the king's coronation oath into the prisoner's mouth, as proceeding from himself, which it is notorious he read out of an old Scotch book, published near a century ago, on the abdication of King James the Second.

Attend to his cross-examination. He was sure he had seen Lord George Gordon at Greenwood's room in January; but when Mr. Kenyon, who knew Lord George had never been there, advised him to recollect himself, he desired to consult his notes. First, he is positively sure, from his memory, that he had seen him there; then he says he cannot trust his memory without referring to his papers. On looking at them, they contradict him, and he then confesses that he never saw Lord George Gordon at Greenwood's room in January, when his note was taken, nor

at any other time. But why did he take notes? He said it was because he foresaw what would happen. How fortunate the crown is, gentlemen, to have such friends to collect evidence by anticipation! When did be begin to take notes? He said on the 21st of February, which was the first time he had been alarmed at what he had seen and heard, although, not a minute before, he had been reading a note taken at Greenwood's room in January, and had sworn that he had attended their meetings, from apprehensions of consequences, as early as December.

Mr. Kenyon, who now saw him bewildered in a maze of falsehood, and suspecting his notes to have been a villainous fabrication to give the show of correctness to his evidence, attacked him with a shrewdness for which he was wholly unprepared. You remember the witness had said that he always took notes when he attended any meetings where he expected their deliberations might be attended with dangerous consequences. "Give me one instance," says Mr. Kenyon, "in the whole course of your life, where you ever took notes before." Poor Mr. Hay was thunderstruck; the sweat ran down his face, and his countenance bespoke despair, not recollection. "Sir, I must have an instance; tell me when and where?" Gentlemen, it was now too late. Some instance he was obliged to give, and, as it was evident to everybody that he had one still to choose, I think he might have chosen a better. "He had taken notes at the general assembly of the Church of Scotland, six-and-twenty years before!" What! did he apprehend dangerous consequences from the deliberations of the grave elders of the kirk? Were they levying war against the king? At last, when he is called upon to say to whom he communicated the intelligence he had collected, the spy stood confessed indeed. At first he refused to tell, saying he was his friend, and that he was not obliged to give him up; and when forced at last to speak, it came out to be Mr. Butler, a gentleman universally known, and who, from what I know of him, I may be sure never employed him, or any other spy, because he is a man in every way respectable, but who certainly is not only a papist, but the person who was employed in all their proceedings, to obtain the late indulgences from parliament. He said Mr. Butler was his particular friend, yet professed himself ignorant of his religion. I am sure he could not be desired to conceal it. Mr. Butler makes no secret of his religion. It is no reproach to any man who lives the life he does. But Mr. Hay thought it of moment to his own credit in the cause that he himself might be thought a Protestant, unconnected with papists, and not a popish spy.

So ambitious, indeed, was the miscreant of being useful in this odious character, through every stage of the cause, that, after staying a little in St. George's Fields, he ran home to his own house in St. Dunstan's

Churchyard, and got upon the leads, where he swore he saw the very same man carrying the very same flag he had seen in the Fields. Gentlemen, whether the petitioners employed the same standard man through the whole course of their peaceable procession is certainly totally immaterial to the cause, but the circumstance is material to show the wickedness of the man. "How," says Mr. Kenyon, "do you know that it was the same person you saw in the Fields? Were you acquainted with him?" "No." "How then?" "Why, he looked like a brewer's servant." Like a brewer's servant! "What, were they not all in their Sunday clothes?" "Oh, yes; they were all in their Sunday's clothes." "Was the man with the flag then alone in the dress of his trade?" "No." "Then how do you know he was a brewer's servant?" Poor Mr. Hay! Nothing but sweat and confusion again! At last, after a hesitation, which everybody thought would have ended in his running out of court, he said "he knew him to be a brewer's servant, because there was something particular in the cut of his coat, the cut of his breeches, and the cut of his stockings!"

You see, gentlemen, by what strange means villainy is detected. Perhaps he might have escaped from me, but he sank under that shrewdness and sagacity which ability, without long habits, does not provide. Gentlemen, you will not, I am sure, forget, whenever you see a man about whose apparel there is anything particular, to set him down for a brewer's servant.

Mr. Hay afterwards went to the lobby of the house of commons. What took him there? He thought himself in danger; and therefore, says Mr. Kenyon, "you thrust yourself voluntarily into the very center of danger." That would not do. Then he had a particular friend, whom he knew to be in the lobby, and whom he apprehended to be in danger. "Sir, who was that particular friend? Out with it! Give us his name instantly!" All in confusion again. Not a word to say for himself; and the name of this person who had the honor of Mr. Hay's friendship will probably remain a secret forever.

It may be asked, Are these circumstances material? and the answer is obvious: They are material, because, when you see a witness running into every hole and corner of falsehood, and, as fast as he is made to bolt out of one, taking cover in another, you will never give credit to what that man relates as to any possible matter which is to affect the life or reputation of a fellow citizen accused before you. God forbid that you should! I might, therefore, get rid of this wretch altogether without making a single remark on that part of his testimony which bears upon the issue you are trying; but the crown shall have the full benefit of it all. I will defraud it of nothing he has said. Notwith-

standing all his folly and wickedness, let us for the present take it to be true, and see what it amounts to. What is it he states to have passed at Coachmakers' Hall? That Lord George Gordon desired the multitude to behave with unanimity and firmness, as the Scotch had done. Gentlemen, there is no manner of doubt that the Scotch behaved with unanimity and firmness in resisting the relaxation of the penal laws against papists, and that by that unanimity and firmness they succeeded; but it was by the constitutional unanimity and firmness of the great body of the people of Scotland whose example Lord George Gordon recommended, and not by the riots and burning which they attempted to prove had been committed in Edinburgh in 1778.

I will tell you myself, gentlemen, as one of the people of Scotland, that there then existed, and still exists, eighty-five societies of Protestants, who have been, and still are, uniformly firm in opposing every change in that system of laws established to secure the Revolution; and parliament gave way in Scotland to their united voice, and not to the firebrands of the rabble. It is the duty of parliament to listen to the voice of the people, for they are the servants of the people; and when the constitution of church or state is believed, whether truly or falsely, to be in danger, I hope there never will be wanting men (notwithstanding the proceedings of to-day) to desire the people to persevere and be firm. Gentlemen, has the crown proved that the Protestant brethren of the London Association fired the mass houses in Scotland, or acted in rebellious opposition to law, so as to entitle it to wrest the prisoner's expressions into an excitation of rebellion against the state, or of violence against the properties of English papists, by setting up their firmness as an example? Certainly not. They have not even proved the naked fact of such violences, though such proof would have called for no resistance, since, to make it bear as rebellious advice to the Protestant Association of London, it must have been first shown that such acts have been perpetrated or encouraged by the Protestant societies in the North.

Who has dared to say this? No man. The rabble in Scotland certainly did that which has since been done by the rabble in England, to the disgrace and reproach of both countries; but in neither country was there found one man of character or condition, of any description, who abetted such enormities, nor any man, high or low, of any of the Associated Protestants, here or there, who were either convicted, tried, or taken on suspicion.

As to what this man heard on the 29th of May, it was nothing more than the proposition of going up in a body to St. George's Fields to consider how the petition should be presented, with the same exhorta-

tions to firmness as before. The resolution made on the motion has been read, and, when I come to state the evidence on the part of my noble friend, I will show you the impossibility of supporting any criminal inference from what Mr. Hay afterwards puts in his mouth in the lobby, even taking it to be true. I wish here to be accurate [looking on a card on which he had taken down his words]. He says: "Lord George desired them to continue steadfastly to adhere to so good a cause as theirs was; promised to persevere in it himself; and hoped, though there was little expectation at present from the house of commons, that they would meet with redress from their mild and gracious sovereign, who, no doubt, would recommend it to his ministers to repeal it." This was all he heard, and I will show you how this wicked man himself (if any belief is to be given to him) entirely overturns and brings to the ground the evidence of Mr. Bowen, on which the crown rests singly for the proof of words which are more difficult to explain. Gentlemen, was this the language of rebellion? If a multitude were at the gates of the house of commons to command and insist on a repeal of this law, why encourage their hopes by reminding them that they had a mild and gracious sovereign? If war was levying against him, there was no occasion for his mildness and graciousness. If he had said, "Be firm and persevere; we shall meet with redress from the prudence of the sovereign," it might have borne a different construction; because, whether he was gracious or severe, his prudence might lead him to submit to the necessity of the times. The words sworn to were therefore perfectly clear and unambiguous: "Persevere in your zeal and supplications, and you will meet with redress from a mild and gracious king, who will recommend it to his ministers to repeal it." Good God! if they were to wait till the king, whether from benevolence or fear, should direct his minister to influence the proceedings of parliament, how does it square with the charge of instant coercion or intimidation of the house of commons? If the multitude were assembled with the premeditated design of producing immediate repeal by terror or arms, is it possible to suppose that their leader would desire them to be quiet, and refer them to those qualities of the prince, which, however eminently they might belong to him, never could be exerted on subjects in rebellion to his authority? In what a labyrinth of nonsense and contradiction do men involve themselves when, forsaking the rules of evidence, they would draw conclusions from words in contradiction to language, and in defiance of common sense!

The next witness that is called to you by the crown is Mr. Metcalf. He was not in the lobby, but speaks only to the meeting in Coachmakers' Hall on the 29th of May, and in St. George's Fields. He says that,

at the former, Lord George reminded them that the Scotch had succeeded by their unanimity, and hoped that no one who had signed the petition would be ashamed or afraid to show himself in the cause; that he was ready to go to the gallows for it; that he would not present the petition of a lukewarm people; that he desired them to come to St. George's Fields, distinguished with blue cockades, and that they should be marshaled in four divisions. Then he speaks of having seen them in the Fields in the order which has been described; and Lord George Gordon in a coach surrounded by a vast concourse of people, with blue ribbons, forming like soldiers, but was not near enough to hear whether the prisoner spoke to them or not. Such is Mr. Metcalf's evidence; and after the attention you have honored me with, and which I shall have occasion so often to ask again on the same subject, I shall trouble you with but one observation, namely, that it cannot, without absurdity, be supposed that, if the assembly at Coachmakers' Hall had been such conspirators as they are represented, their doors would have been open to strangers, like this witness, to come in to report their proceedings.

The next witness is Mr. Anstruther, who speaks to the language and deportment of the noble prisoner, both at Coachmakers' Hall on the 29th of May, and afterwards on the 2d of June in the lobby of the house of commons. It will be granted to me, I am sure, even by the advocates of the crown, that this gentleman, not only from the clearness and consistency of his testimony, but from his rank and character in the world, is infinitely more worthy of credit than Mr. Hay, who went before him. And from the circumstances of irritation and confusion under which the Rev. Mr. Bowen confessed himself to have heard and seen what he told you he heard and saw, I may likewise assert, without any offense to the reverend gentleman, and without drawing any parallel between their credits, that, where their accounts of this transaction differ, the preference is due to the former. Mr. Anstruther very properly prefaced his evidence with this declaration: "I do not mean to speak accurately to words. It is impossible to recollect them at this distance of time." I believe I have used his very expression, and such expression it well became him to use in a case of blood. But words, even if they could be accurately remembered, are to be admitted with great reserve, when the purpose of the speaker is to be measured by them. They are transient and fleeting; frequently the effect of a sudden transport, easily misunderstood, and often unconsciously misrepresented. It may be the fate of the most innocent language to appear ambiguous, or even malignant, when related in mutilated, detached passages, by people to whom it is not addressed, and who know nothing of the previous design either of the speaker or of those to whom he spoke. Mr.

Anstruther says that he heard Lord George Gordon desire the petitioners to meet him on the Friday following in St. George's Fields, and that, if there were fewer than twenty thousand people, he would not present the petition, as it would not be of consequence enough, and that he recommended to them the example of the Scotch, who, by their firmness, had carried their point.

Gentlemen, I have already admitted that they did by firmness carry it. But has Mr. Anstruther attempted to state any one expression that fell from the prisoner to justify the positive, unerring conclusion, or even the presumption, that the firmness of the Scotch Protestants, by which the point was carried in Scotland, was the resistance and riots of the rabble? No, gentlemen, he singly states the words, as he heard them in the hall on the 29th, and all that he afterwards speaks to in the lobby repels so harsh and dangerous a construction. The words sworn to at Coachmakers' Hall are "that he recommended temperance and firmness." Gentlemen, if his motives are to be judged by words, for Heaven's sake let these words carry their popular meaning in language. Is it to be presumed, without proof, that a man means one thing because he says another? Does the exhortation to temperance and firmness apply most naturally to the constitutional resistance of the Protestants of Scotland, or to the outrages of ruffians who pulled down the houses of their neighbors? Is it possible, with decency, to say in a court of justice that the recommendation of temperance is the excitation to villainy and frenzy? But the words, it seems, are to be construed, not from their own signification, but from that which follows them, *viz.*: "By that the Scotch carried their point." Gentlemen, is it in evidence before you that by rebellion the Scotch carried their point? or that the indulgences to papists were not extended to Scotland because the rabble had opposed their extension? Has the crown authorized either the court or its law servants to tell you so? Or can it be decently maintained that parliament was so weak or infamous as to yield to a wretched mob of vagabonds at Edinburgh what it has since refused to the earnest prayers of a hundred thousand Protestants of London? No, gentlemen of the jury, parliament was not, I hope, so abandoned. But the ministers knew that the Protestants of Scotland were to a man abhorrent of that law; and though they never held out resistance, if government should be disposed to cram it down their throats by force, yet such violence to the united sentiments of a whole people appeared to be a measure so obnoxious, so dangerous, and withal so unreasonable, that it was wisely and judiciously dropped, to satisfy the general wishes of the nation, and not to avert the vengeance of those low incendiaries whose misdeeds have rather been talked of than proved.

Thus, gentlemen, the exculpation of Lord George's conduct on the 29th of May is sufficiently established by the very evidence on which the crown asks you to convict him; for, in recommending temperance and firmness, after the example of Scotland, you cannot be justified in pronouncing that he meant more than the firmness of the grave and respectable people in that country, to whose constitutional firmness the legislature had before acceded, instead of branding it with the title of rebellion, and who, in my mind, deserve thanks from the king for temperately and firmly resisting every innovation which they conceived to be dangerous to the national religion, independently of which his majesty (without a new limitation by parliament) has no more title to the crown than I have.

Such, gentlemen, is the whole amount of all my noble friend's previous communication with the petitioners, whom he afterwards assembled to consider how their petition should be presented. This is all, not only that men of credit can tell you on the part of the prosecution, but all that even the worst vagabond who ever appeared in a court—the very scum of the earth—thought himself safe in saying, upon oath, on the present occasion. Indeed, gentlemen, when I consider my noble friend's situation, his open, unreserved temper, and his warm and animated zeal for a cause which rendered him obnoxious to so many wicked men,—speaking daily and publicly to mixed multitudes of friends and foes on a subject which affected his passions,—I confess I am astonished that no other expressions than those in evidence before you have found their way into this court. That they have not found their way is surely a most satisfactory proof that there was nothing in his heart which even youthful zeal could magnify into guilt, or that want of caution could betray.

Gentlemen, Mr. Anstruther's evidence, when he speaks of the lobby of the house of commons, is very much to be attended to. He says, "I saw Lord George leaning over the gallery," which position, joined with what he mentioned of his talking with the chaplain, marks the time, and casts a strong doubt on Bowen's testimony, which you will find stands, in this only material part of it, single and unsupported. "I then heard him," continues Mr. Anstruther, "tell them they had been called a mob in the house, and that peace officers had been sent to disperse them (peaceable petitioners), but that, by steadiness and firmness, they might carry their point, as he had no doubt his majesty, who was a gracious prince, would send to his ministers to repeal the act, when he heard his subjects were coming up for miles round, and wishing its repeal." How coming up? In rebellion and arms to compel it? No! All is still put on the graciousness of the sovereign, in listening to the unanimous wishes of his people. If the multitude then assembled had

been brought together to intimidate the house by their firmness, or to coerce it by their numbers, it was ridiculous to look forward to the king's influence over it, when the collection of future multitudes should induce him to employ it. The expressions were therefore quite unambiguous; nor could malice itself have suggested another construction of them, were it not for the fact that the house was at that time surrounded, not by the petitioners, whom the noble prisoner had assembled, but by a mob who had mixed with them, and who, therefore, when addressed by him, were instantly set down as his followers. He thought he was addressing the sober members of the association, who, by steadiness and perseverance, could understand nothing more than perseverance in that conduct he had antecedently prescribed, as steadiness signifies a uniformity, not a change of conduct; and I defy the crown to find out a single expression, from the day he took the chair at the association to the day I am speaking of, that justifies any other construction of steadiness and firmness than that which I put upon it before.

What would be the feelings of our venerable ancestors, who framed the statute of treasons to prevent their children being drawn into the snares of death, unless provably convicted by overt acts, if they could hear us disputing whether it was treason to desire harmless, unarmed men to be firm and of good heart, and to trust to the graciousness of their king?

Here Mr. Anstruther closes his evidence, which leads me to Mr. Bowen, who is the only man,—I beseech you, gentlemen of the jury, to attend to this circumstance,—Mr. Bowen is the only man who has attempted, directly or indirectly, to say that Lord George Gordon uttered a syllable to the multitude in the lobby concerning the destruction of the mass houses in Scotland. Not one of the crown's witnesses—not even the wretched, abandoned Hay, who was kept, as he said, in the lobby the whole afternoon, from anxiety for his pretended friend—has ever glanced at any expression resembling it. They all finish with the expectation which he held out, from a mild and gracious sovereign. Mr. Bowen alone goes on further, and speaks of the successful riots of the Scotch; but he speaks of them in such a manner as, so far from conveying the hostile idea, which he seemed sufficiently desirous to convey, tends directly to wipe off the dark hints and insinuations which have been made to supply the place of proof upon that subject,—a subject which should not have been touched on without the fullest support of evidence, and where nothing but the most unequivocal evidence ought to have been received. He says "his lordship began by bidding them be quiet, peaceable, and steady,"—not "steady" alone, though, if that had been the expression, singly by itself, I should not be afraid to meet it,

but, "be quiet, peaceable, and steady." Gentlemen, I am indifferent what other expressions of dubious interpretation are mixed with these, for you are trying whether my noble friend came to the house of commons with a decidedly hostile mind; and as I shall, on the recapitulation of our own evidence, trace him in your view, without spot or stain, down to the very moment when the imputed words were spoken, you will hardly forsake the whole innocent context of his behavior, and torture your inventions to collect the blackest system of guilt, starting up in a moment, without being previously concerted, or afterwards carried into execution.

First, what are the words by which you are to be convinced that the legislature was to be frightened into compliance, and to be coerced if terror should fail? "Be quiet, peaceable, and steady; you are a good people; yours is a good cause. His majesty is a gracious monarch, and when he hears that all his people, ten miles round, are collecting, he will send to his ministers to repeal the act." By what rules of construction can such an address to unarmed, defenseless men be tortured into treasonable guilt? It is impossible to do it without pronouncing, even in the total absence of all proof of fraud or deceit in the speaker, that "quiet" signifies tumult and uproar, and that "peace" signifies war and rebellion.

I have before observed that it was most important for you to remember that, with this exhortation to quiet and confidence in the king, the evidence of all the other witnesses closed. Even Mr. Anstruther, who was a long time afterwards in the lobby, heard nothing further; so that, if Mr. Bowen had been out of the case altogether, what would the amount have been? Why, simply that Lord George Gordon, having assembled an unarmed, inoffensive multitude in St. George's Fields to present a petition to parliament, and finding them becoming tumultuous, to the discontent of parliament and the discredit of the cause, desired them not to give it up, but to continue to show their zeal for the legal object in which they were engaged; to manifest that zeal quietly and peaceably, and not to despair of success, since, though the house was not disposed to listen to it, they had a gracious sovereign, who would second the wishes of his people. This is the sum and substance of the whole. They were not, even by any one ambiguous expression, encouraged to trust to their numbers, as sufficient to overawe the house, or to their strength to compel it, or to the prudence of the state in yielding to necessity, but to the indulgence of the king, in compliance with the wishes of his people. Mr. Bowen, however, thinks proper to proceed, and I beg that you will attend to the sequel of his evidence. He stands single in all the rest that he says, which might entitle me to ask

you absolutely to reject it; but I have no objection to your believing every word of it, if you can, because, if inconsistencies prove anything, they prove that there was nothing of that deliberation in the prisoner's expressions which can justify the inference of guilt. I mean to be correct as to his words [looking at his words which he had noted down]. He says "that Lord George told the people that an attempt had been made to introduce the bill into Scotland, and that they had no redress till the mass houses were pulled down. That Lord Weymouth then sent official assurances that it should not be extended to them." Gentlemen, why is Mr. Bowen called by the crown to tell you this? The reason is plain: because the crown, conscious that it could make no case of treason from the rest of the evidence, in sober judgment of law; aware that it had proved no purpose or act of force against the house of commons, to give countenance to the accusation, much less to warrant a conviction,—found it necessary to hold up the noble prisoner as the wicked and cruel author of all those calamities in which every man's passions might be supposed to come in to assist his judgment to decide. They therefore made him speak in enigmas to the multitude; not telling them to do mischief in order to succeed, but that by mischief in Scotland success has been obtained.

But were the mischiefs themselves that did happen here of a sort to support such a conclusion? Can any man living, for instance, believe that Lord George Gordon could possibly have excited the mob to destroy the house of that great and venerable magistrate who has presided so long in this high tribunal that the oldest of us do not remember with any other impression than the awful form and figure of justice,—a magistrate who had always been the friend of the Protestant dissenters against the ill-timed jealousies of the establishment—his countryman, too—and, without adverting to the partiality not unjustly imputed to men of that country, a man of whom any country might be proud? No, gentlemen, it is not credible that a man of noble birth and liberal education (unless agitated by the most implacable personal resentment, which is not imputed to the prisoner) could possibly consent to the burning of the house of Lord Mansfield.

If Mr. Bowen, therefore, had ended here, I can hardly conceive such a construction could be decently hazarded consistent with the testimony of the witnesses we have called. How much less when, after the dark insinuations which such expressions might otherwise have been argued to convey, the very same person, on whose veracity or memory they are only to be believed, and who must be credited or discredited *in toto,* takes out the sting himself by giving them such an immediate context and conclusion as renders the proposition ridiculous which his evidence is brought

forward to establish; for he says that Lord George Gordon instantly addressed himself thus: "Beware of evil-minded persons who may mix among you and do mischief, the blame of which will be imputed to you."

Gentlemen, if you reflect on the slander which I told you fell upon the Protestants in Scotland by the acts of the rabble there, I am sure you will see the words are capable of an easy explanation. But as Mr. Bowen concluded with telling you that he heard them in the midst of noise and confusion, and as I can only take them from him, I shall not make an attempt to collect them into one consistent discourse, so as to give them a decided meaning in favor of my client, because I have repeatedly told you that words imperfectly heard and partially related cannot be so reconciled. But this I will say: that he must be a ruffian, and not a lawyer, who would dare to tell an English jury that such ambiguous words, hemmed closely in between others not only innocent, but meritorious, are to be adopted to constitute guilt by rejecting both introduction and sequel, with which they are absolutely irreconcilable and inconsistent; for if ambiguous words, when coupled with actions, decipher the mind of the actor, so as to establish the presumption of guilt, will not such as are plainly innocent and unambiguous go as far to repel such presumption? Is innocence more difficult of proof than the most malignant wickedness? Gentlemen, I see your minds revolt at such shocking propositions. I beseech you to forgive me. I am afraid that my zeal has led me to offer observations which I ought in justice to have believed every honest mind would suggest to itself with pain and abhorrence without being illustrated and enforced.

I now come more minutely to the evidence on the part of the prisoner. I before told you that it was not till November, 1779, when the Protestant Association was already fully established, that Lord George Gordon was elected president by the unanimous voice of the whole body, unlooked for and unsolicited. It is surely not an immaterial circumstance that at the very first meeting where his lordship presided a dutiful and respectful petition, the same which was afterwards presented to parliament, was read and approved of; a petition which, so far from containing anything threatening or offensive, conveyed not a very oblique reflection upon the behavior of the people in Scotland. It states that, as England and that country were now one, and as official assurances had been given that the law should not pass there, they hoped the peaceable and constitutional deportment of the English Protestants would entitle them to the approbation of parliament.

It appears by the evidence of Mr. Erasmus Middleton, a very respectable clergyman, and one of the committee of the association, that a meeting had been held on the 4th of May, at which Lord George was

not present; that at that meeting a motion had been made for going up with the petition in a body, but which not being regularly put from the chair, no resolution was come to upon it; and that it was likewise agreed on, but in the same irregular manner, that there should be no other public meeting previous to the presenting of the petition; that this last resolution occasioned great discontent, and that Lord George was applied to by a large and respectable number of the association to call another meeting, to consider of the most prudent and respectful method of presenting their petition; but it appears that, before he complied with their request, he consulted with the committee on propriety of compliance, who all agreeing to it except the secretary, his lordship advertised the meeting which was afterwards held on the 29th of May. The meeting was, therefore, the act of the whole association. As to the original difference between my noble friend and the committee on the expediency of the measure, it is totally immaterial, since Mr. Middleton, who was one of the number who differed from him on that subject (and whose evidence is, therefore, infinitely more to be relied on), told you that his whole deportment was so clear and unequivocal as to entitle him to assure you on his most solemn oath that he in his conscience believed his views were perfectly constitutional and pure. This most respectable clergyman further swears that he attended all the previous meetings of the society, from the day the prisoner become president to the day in question, and that, knowing they were objects of much jealousy and malice, he watched his behavior with anxiety, lest his zeal should furnish matter for misrepresentation, but that he never heard an expression escape him which marked a disposition to violate the duty and subordination of a subject, or which could lead any man to believe that his objects were different from the avowed and legal objects of the association. We could have examined thousands to the same fact, for, as I told you when I began to speak, I was obliged to leave my place to disincumber myself from their names.

This evidence of Mr. Middleton's as to the 29th of May must, I should think, convince every man how dangerous and unjust it is in witnesses, however perfect their memories, or however great their veracity, to come into a criminal court where a man is standing for his life or death, retailing scraps of sentences which they had heard by thrusting themselves, from curiosity, into places where their business did not lead them; ignorant of the views and tempers of both speakers and hearers; attending only to a part, and, perhaps innocently, misrepresenting that part, from not having heard the whole.

The witnesses for the crown all tell you that Lord George said he would not go up with the petition unless he was attended by twenty

thousand people who had signed it. There they think proper to stop, as if he had said nothing further, leaving you to say to yourselves: What possible purpose could he have in assembling such a multitude on the very day the house was to receive the petition? Why should he urge it, when the committee had before thought it inexpedient? And why should he refuse to present it unless so attended? Hear what Mr. Middleton says. He tells you that my noble friend informed the petitioners that, if it was decided they were not to attend to consider how their petition should be presented, he would with the greatest pleasure go up with it alone, but that, if it was resolved they should attend it in person, he expected twenty thousand at the least should meet him in St. George's Fields, for that otherwise the petition would be considered as a forgery, it having been thrown out in the house and elsewhere that the repeal of the bill was not the serious wish of the people at large, and that the petition was a mere list of names on parchment, and not of men in sentiment. Mr. Middleton added that Lord George adverted to the same objections having been made to many other petitions, and he therefore expressed an anxiety to show parliament how many were actually interested in its success, which he reasonably thought would be a strong inducement to the house to listen to it. The language imputed to him falls in most naturally with this purpose: "I wish parliament to see who and what you are; dress yourselves in your best clothes,"— which Mr. Hay (who, I suppose, had been reading the indictment) thought it would be better to call "array yourselves." He desired that not a stick should be seen among them, and that, if any man insulted another, or was guilty of any breach of the peace, he was to be given up to the magistrates. Mr. Attorney General, to persuade you that this was all color and deceit, says: "How was a magistrate to face forty thousand men? How were offenders in such a multitude to be amenable to the civil power?" What a shameful perversion of a plain, peaceable purpose! To be sure, if the multitude had been assembled to resist the magistrate, offenders could not be secured; but they themselves were ordered to apprehend all offenders among them, and to deliver them up to justice. They themselves were to surrender their fellows to civil authority if they offended.

But it seems that Lord George ought to have foreseen that so great a multitude could not be collected without mischief. Gentlemen, we are not trying whether he might or ought to have foreseen mischief, but whether he wickedly and traitorously preconcerted and designed it. But if he be an object of censure for not foreseeing it, what shall we say to government, that took no step to prevent it; that issued no proclamation warning the people of the danger and illegality of such an assembly?

If a peaceable multitude, with a petition in their hands, be an army, and if the noise and confusion inseparable from numbers, though without violence or the purpose of violence, constitute war, what shall be said of that government which remained from Tuesday to Friday, knowing that an army was collecting to levy war by public advertisement, yet had not a single soldier—no, nor even a constable—to protect the state?

Gentlemen, I come forth to do that for government which its own servant, the attorney general, has not done. I come forth to rescue it from the eternal infamy which would fall upon its head if the language of its own advocate were to be believed. But government has an unanswerable defense. It neither did nor could possibly enter into the head of any man in authority to prophesy, human wisdom could not divine, that wicked and desperate men, taking advantage of the occasion which, perhaps, an imprudent zeal for religion had produced, would dishonor the cause of all religions by the disgraceful acts which followed.

Why, then, is it to be said that Lord George Gordon is a traitor, who, without proof of any hostile purpose to the government of his country, only did not foresee what nobody else foresaw,—what those people whose business it is to foresee every danger that threatens the state, and to avert it by the interference of magistracy, though they could not but read the advertisement, neither did nor could possibly apprehend?

How are these observations attempted to be answered? Only by asserting, without evidence or even reasonable argument, that all this was color and deceit. Gentlemen, I again say that it is scandalous and reproachful, and not to be justified by any duty which can possibly belong to an advocate at the bar of an English court of justice, to declare, without any proof or attempt at proof, that all a man's expressions, however peaceable, however quiet, however constitutional, however loyal, are all fraud and villainy. Look, gentlemen, to the issues of life, which I before called the evidence of Heaven. I call them so still. Truly may I call them so when, out of a book compiled by the crown for the petition in the house of commons, and containing the names of all who signed it, and which was printed in order to prevent any of that number being summoned upon the jury to try this indictment, not one criminal, or even a suspected name, is to be found among this defamed host of petitioners!

After this, gentlemen, I think the crown ought, in decency, to be silent. I see the effect this circumstance has upon you, and I know I am warranted in my assertion of the fact. If I am not, why did not the attorney general produce the record of some convictions, and compare it with

the list? I thank them, therefore, for the precious compilation, which, though they did not produce, they cannot stand up and deny.

Solomon says: "Oh that mine adversary had written a book!" My adversary has written a book, and out of it I am entitled to pronounce that it cannot again be decently asserted that Lord George Gordon, in exhorting an innocent and unimpeached multitude to be peaceable and quiet, was exciting them to violence against the state.

What is the evidence, then, on which this connection with the mob is to be proved? Only that they had blue cockades! Are you or am I answerable for every man who wears a blue cockade? If a man commits murder in my livery or in yours, without command, counsel, or consent, is the murder ours? In all cumulative, constructive treasons, you are to judge from the tenor of a man's behavior, not from crooked and disjointed parts of it. *"Nemo repente fuit turpissimus."* No man can possibly be guilty of this crime by a sudden impulse of the mind, as he may of some others; and certainly Lord George Gordon stands upon the evidence at Coachmakers' Hall as pure and white as snow. He stands so upon the evidence of a man who had differed with him as to the expediency of his conduct, yet who swears that from the time he took the chair till the period which is the subject of inquiry there was no blame in him.

You therefore are bound, as Christian men, to believe that, when he came to St. George's Fields that morning, he did not come there with the hostile purpose of repealing a law by rebellion.

But still it seems all his behavior at Coachmakers' Hall was color and deceit. Let us see, therefore, whether this body of men, when assembled, answered the description of that which I have stated to be the purpose of him who assembled them. Were they a multitude arrayed for terror or force? On the contrary, you have heard, upon the evidence of men whose veracity is not to be impeached, that they were sober, decent, quiet, peaceable tradesmen; that they were all of the better sort; all well dressed and well behaved; and that there was not a man among them who had any one weapon, offensive or defensive. Sir Philip Jennings Clerke tells you he went into the Fields; that he drove through them, talked to many individuals among them, who all told him that it was not their wish to persecute the papists, but that they were alarmed at the progress of their religion from their schools. Sir Philip further told you that he never saw a more peaceable multitude in his life; and it appears upon the oaths of all who were present that Lord George Gordon went round among them desiring peace and quietness.

Mark his conduct when he heard from Mr. Evans that a low, riotous set of people were assembled in Palace Yard. Mr. Evans, being a mem-

ber of the Protestant Association, and being desirous that nothing bad might happen from the assembly, went in his carriage with Mr. Spinage to St. George's Fields to inform Lord George that there were such people assembled (probably papists), who were determined to do mischief. The moment he told him of what he heard, whatever his original plan might have been, he instantly changed it on seeing the impropriety of it. "Do you intend," said Mr. Evans, "to carry up all these men with the petition to the house of commons?" "Oh no! no! not by any means; I do not mean to carry them all up." "Will you give me leave," said Mr. Evans, "to go round to the different divisions and tell the people it is not your lordship's purpose?" He answered, "By all means." And Mr. Evans accordingly went; but it was impossible to guide such a number of people, peaceable as they were. They were all desirous to go forward; and Lord George was at last obliged to leave the Fields, exhausted with heat and fatigue, beseeching them to be peaceable and quiet. Mrs. Whitingham set him down at the house of commons; and at the very time that he thus left them in perfect harmony and good order, it appears, by the evidence of Sir Philip Jennings Clerke, that Palace Yard was in an uproar, filled with mischievous boys and the lowest dregs of the people.

Gentlemen, I have all along told you that the crown was aware that it had no case of treason without connecting the noble prisoner with consequences which it was in some luck to find advocates to state, without proof to support it. I can only speak for myself that, small as my chance is (as times go) of ever arriving at high office, I would not accept of it on the terms of being obliged to produce against a fellow citizen that which I have been witness to this day. For Mr. Attorney General perfectly well knew the innocent and laudable motive with which the protection was given that he exhibited as an evidence of guilt; yet it was produced to insinuate that Lord George Gordon, knowing himself to be the ruler of those villains, set himself up as a savior from their fury. We called Lord Stormont to explain this matter to you, who told you that Lord George Gordon came to Buckingham House, and begged to see the king, saying he might be of great use in quelling the riots; and can there be on earth a greater proof of conscious innocence? For if he had been the wicked mover of them, would he have gone to the king to have confessed it, by offering to recall his followers from the mischiefs he had provoked? No! But since, notwithstanding a public protest issued by himself and the association, reviling the authors of mischief, the Protestant cause was still made the pretext, he thought his public exertions might be useful, as they might tend to remove the prejudices which wicked men had diffused. The king thought so like-

wise, and therefore (as appears by Lord Stormont) refused to see Lord George till he had given the test of his loyalty by such exertions. But sure I am, our gracious sovereign meant no trap for innocence, nor ever recommended it as such to his servants.

Lord George's language was simply this: "The multitude pretended to be perpetrating these acts under the authority of the Protestant petition. I assure your majesty they are not the Protestant Association, and I shall be glad to be of any service in suppressing them." I say, by God, that man is a ruffian who shall, after this, presume to build upon such honest, artless conduct as an evidence of guilt. Gentlemen, if Lord George Gordon had been guilty of high treason (as is assumed to-day) in the face of the whole parliament, how are all its members to defend themselves from the misprison of suffering such a person to go at large and to approach his sovereign? The man who conceals the perpetration of treason is himself a traitor; but they are all perfectly safe, for nobody thought of treason till fears arising from another quarter bewildered their senses. The king, therefore, and his servants, very wisely accepted his promise of assistance, and he flew with honest zeal to fulfil it. Sir Philip Jennings Clerke tells you that he made use of every expression which it was possible for a man in such circumstances to employ. He begged them, for God's sake, to disperse and go home; declared his hope that the petition would be granted, but that rioting was not the way to effect it. Sir Philip said he felt himself bound, without being particularly asked, to say everything he could in protection of an injured and innocent man, and repeated again that there was not an art which the prisoner could possibly make use of that he did not zealously employ, but that it was all in vain. "I began," says he, "to tremble for myself when Lord George read the resolution of the house, which was hostile to them, and said their petition would not be taken into consideration till they were quiet." But did he say, "Therefore go on to burn and destroy"? On the contrary, he helped to pen that motion, and read it to the multitude, as one which he himself had approved. After this he went into the coach with Sheriff Pugh, in the city, and there it was, in the presence of the very magistrate whom he was assisting to keep the peace, that he publicly signed the protection which has been read in evidence against him; although Mr. Fisher, who now stands in my presence, confessed in the privy council that he himself had granted similar protections to various people, yet he was dismissed, as having done nothing but his duty.

This is the plain and simple truth; and for this just obedience to his majesty's request, do the king's servants come to-day into his court,

where he is supposed in person to sit, to turn that obedience into the crime of high treason, and to ask you to put him to death for it.

Gentlemen, you have now heard, upon the solemn oaths of honest, disinterested men, a faithful history of the conduct of Lord George Gordon from the day that he became a member of the Protestant Association to the day that he was committed a prisoner to the Tower; and I have no doubt, from the attention with which I have been honored from the beginning, that you have still kept in your minds the principles to which I entreated you would apply it, and that you have measured it by that standard. You have, therefore, only to look back to the whole of it together; to reflect on all you have heard concerning him; to trace him in your recollection through every part of the transaction; and, considering it with one manly, liberal view, to ask your own honest hearts whether you can say that this noble and unfortunate youth is a wicked and deliberate traitor, who deserves by your verdict to suffer a shameful and ignominious death, which will stain the ancient honors of his house forever.

The crime which the crown would have fixed upon him is that he assembled the Protestant Association round the house of commons, not merely to influence and persuade parliament by the earnestness of their supplications, but actually to coerce it by hostile, rebellious force; that, finding himself disappointed in the success of that coercion, he afterwards incited his followers to abolish the legal indulgences to papists, which the object of the petition was to repeal, by the burning of their houses of worship, and the destruction of their property, which ended, at last, in a general attack on the property of all orders of men, religious and civil, on the public treasures of the nation, and on the very being of the government.

To support a charge of so atrocious and unnatural a complexion, the laws of the most arbitrary nations would require the most incontrovertible proof. Either the villain must have been taken in the overt act of wickedness, or, if he worked in secret upon others, his guilt must have been brought out by the discovery of a conspiracy, or by the consistent tenor of criminality. The very worst inquisitor that ever dealt in blood would vindicate the torture by plausibility at least, and by the semblance of truth.

What evidence, then, will a jury of Englishmen expect from the servants of the crown of England before they deliver up a brother accused before them to ignominy and death? What proof will their consciences require? What will their plain and manly understandings accept of? What does the immemorial custom of their fathers, and the written law of this land, warrant them in demanding? Nothing less, in any case

of blood, than the clearest and most unequivocal conviction of guilt. But in this case the act has not even trusted to the humanity and justice of our general law, but has said, in plain, rough, expressive terms, "provably"; that is, says Lord Coke, "not upon conjectural presumptions, or inferences, or strains of wit, but upon direct and plain proof." "For the king, lords, and commons," continues that great lawyer, "did not use the word 'probably,' for then a common argument might have served, but 'provably,' which signifies the highest force of demonstration." And what evidence, gentlemen of the jury, does the crown offer to you in compliance with these sound and sacred doctrines of justice? A few broken, interrupted, disjointed words, without context or connection; uttered by the speaker in agitation and heat; heard, by those who relate them to you, in the midst of tumult and confusion,—and even those words, mutilated as they are, in direct opposition to and inconsistent with repeated and earnest declarations delivered at the very same time and on the very same occasion, related to you by a much greater number of persons, and absolutely incompatible with the whole tenor of his conduct. Which of us all, gentlemen, would be safe, standing at the bar of God or man, if we were not to be judged by the regular current of our lives and conversations, but by detached and unguarded expressions, picked out by malice, and recorded, without context or circumstances, against us? Yet such is the only evidence on which the crown asks you to dip your hands and to stain your consciences in the innocent blood of the noble and unfortunate youth who stands before you,—on the single evidence of the words you have heard from their witnesses (for of what but words have you heard?), which, even if they had stood uncontroverted by the proofs that have swallowed them up, or unexplained by circumstances which destroy their malignity, could not, at the very worst, amount in law to more than a breach of the act against tumultuous petitioning (if such an act still exists), since the worst malice of his enemies has not been able to bring up one single witness to say that he ever directed, countenanced, or approved rebellious force against the legislature of this country. It is therefore a matter of astonishment to me that men can keep the natural color in their cheeks when they ask for human life, even on the crown's original case, though the prisoner had made no defense.

But will they still continue to ask for it after what they have heard? I will just remind the solicitor general, before he begins his reply, what matter he has to encounter. He has to encounter this: That the going up in a body was not even originated by Lord George, but by others in his absence; that when proposed by him officially as chairman, it was adopted by the whole association, and consequently was their act as much as his;

that it was adopted, not in a conclave, but with open doors, and the resolution published to all the world; that it was known, of course, to the ministers and magistrates of the country, who did not even signify to him, or to anybody else, its illegality or danger; that decency and peace were enjoined and commanded; that the regularity of the procession, and those badges of distinction which are now cruelly turned into the charge of a hostile array against him, were expressly and publicly directed for the preservation of peace and the prevention of tumult; that, while the house was deliberating, he repeatedly entreated them to behave with decency and peace, and to retire to their houses, though he knew not that he was speaking to the enemies of his cause; that, when they at last dispersed, no man thought or imagined that treason had been committed; that he retired to bed, where he lay unconscious that ruffians were ruining him by their disorders in the night; that on Monday he published an advertisement reviling the authors of the riots, and, as the Protestant cause had been wickedly made the pretext for them, solemnly enjoined all who wished well to it to be obedient to the laws (nor has the crown ever attempted to prove that he had either given, or that he afterwards gave, secret instructions in opposition to that public admonition); that he afterwards begged an audience to receive the king's commands; that he waited on the ministers; that he attended his duty in parliament; and when the multitude (among whom there was not a man of the Associated Protestants) again assembled on the Tuesday, under pretense of the Protestant cause, he offered his services, and read a resolution of the house to them, accompanied with every expostulation which a zeal for peace could possibly inspire; that he afterwards, in pursuance to the king's direction, attended the magistrates in their duty, honestly and honorably exerting all his powers to quell the fury of the multitude,—a conduct which, to the dishonor of the crown, has been scandalously turned against him by criminating him with protections granted publicly in the coach of the sheriff of London, whom he was assisting in his office of magistracy, although protections of a similar nature were, to the knowledge of the whole privy council, granted by Mr. Fisher himself, who now stands in my presence unaccused and unreproved, but who, if the crown that summon him durst have called him, would have dispersed to their confusion the slightest imputation of guilt.

What, then, has produced this trial for high treason, or given it, when produced, the seriousness and solemnity it wears? What but the inversion of all justice, by judging from consequences, instead of causes and designs? What but the artful manner in which the crown has endeavored to blend the petitioning in a body, and the zeal with which an

animated disposition conducted it, with the melancholy crimes that followed,—crimes which the shameful indolence of our magistrates, which the total extinction of all police and government suffered to be committed in broad day, and in the delirium of drunkenness, by an unarmed banditti, without a head, without plan or object, and without a refuge from the instant gripe of justice; a banditti with whom the Associated Protestants and their president had no manner of connection, and whose cause they overturned, dishonored, and ruined.

How un-Christian, then, is it to attempt, without evidence, to infect the imaginations of men who are sworn, dispassionately and disinterestedly, to try the trivial offense of assembling a multitude with a petition to repeal a law (which has happened so often in all our memories), by blending it with the fatal catastrophe, on which every man's mind may be supposed to retain some degree of irritation! O fie! O fie! Is the intellectual seat of justice to be thus impiously shaken? Are you benevolent propensities to be thus disappointed and abused? Do they wish you, while you are listening to the evidence, to connect it with unforeseen consequences, in spite of reason and truth? Is it their object to hang the millstone of prejudice around his innocent neck to sink him? If there be such men, may Heaven forgive them for the attempt, and inspire you with fortitude and wisdom to discharge your duty with calm, steady, and reflecting minds!

Gentlemen, I have no manner of doubt that you will. I am sure you cannot but see, notwithstanding my great inability, increased by a perturbation of mind (arising, thank God! from no dishonest cause), that there has been not only no evidence on the part of the crown to fix the guilt of the late commotions upon the prisoner, but that, on the contrary, we have been able to resist the probability—I might almost say the possibility—of the charge, not only by living witnesses, whom we only ceased to call because the trial would never have ended, but by the evidence of all the blood that has paid the forfeit of that guilt already,—an evidence that I will take upon me to say is the strongest and most unanswerable which the combination of natural events ever brought together since the beginning of the world for the deliverance of the oppressed; since, in the late numerous trials for acts of violence and depredation, though conducted by the ablest servants of the crown, with a laudable eye to the investigation of the subject which now engages us, no one fact appeared which showed any plan, any object, any leader; since, out of forty-four thousand persons who signed the petition of the Protestants, not one was to be found among those who were convicted, tried, or even apprehended on suspicion; and since, out of all the felons who were let loose from prisons, and who assisted in the destruction of

our property, not a single wretch was to be found who could even attempt to save his own life by the plausible promise of giving evidence to-day.

What can overturn such a proof as this? Surely a good man might, without superstition, believe that such a union of events was something more than natural, and that a Divine Providence was watchful for the protection of innocence and truth.

I may now, therefore, relieve you from the pain of hearing me any longer, and be myself relieved from speaking on a subject which agitates and distresses me. Since Lord George Gordon stands clear of every hostile act or purpose against the legislature of his country, or the properties of his fellow subjects,—since the whole tenor of his conduct repels the belief of the traitorous intention charged by the indictment,—my task is finished. I shall make no address to your passions. I will not remind you of the long and rigorous imprisonment he has suffered. I will not speak to you of his great youth, of his illustrious birth, and of his uniformly animated and generous zeal in parliament for the constitution of his country. Such topics might be useful in the balance of a doubtful case; yet, even then, I should have trusted to the honest hearts of Englishmen to have felt them without excitation. At present, the plain and rigid rules of justice and truth are sufficient to entitle me to your verdict.

§ 3

THE RIGHT TO TRIAL BY JURY

By Jeremiah S. Black

(Argument in Behalf of Lambdin P. Milligan, in the Supreme Court of the United States, 1866. In October, 1864, Lambdin P. Milligan and two others were arrested by order of Gen. Alvin P. Hovey, commanding the military district of Indiana, on the charge of being members and supporters of a secret organization, known as the "Order of American Knights," or "Sons of Liberty," having for its object the destruction of the government of the United States. Milligan and his associates were tried by a military commission convened at Indianapolis, found guilty, and sentenced to be hanged. Thereupon Milligan applied to the United States circuit court for his discharge, on the ground that his detention was illegal. The court was divided in opinion, and certified the case to the supreme court of the United States for the purpose of ascertaining whether a writ of habeas corpus

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the military commission had jurisdiction to try the prisoner. The supreme court decided in favor of the prisoner on all three points, and he was therefore discharged from custody.—From note—Veeder, "Legal Masterpieces," p. 932.)

May It Please Your Honors: I am not afraid that you will underrate the importance of this case. It concerns the rights of the whole people. Such questions have generally been settled by arms; but since the beginning of the world no battle has ever been lost or won upon which the liberties of a nation were so distinctly staked as they are on the result of this argument. The pen that writes the judgment of the court will be mightier for good or for evil than any sword that ever was wielded by mortal arm. As might be expected from the nature of the subject, it has been a good deal discussed elsewhere, in legislative bodies, in public assemblies, and in the newspaper press of the country; but there it has been mingled with interests and feelings not very friendly to a correct conclusion. Here we are in a higher atmosphere, where no passion can disturb the judgment or shake the even balance in which the scales of reason are held. Here it is purely a judicial question; and I can speak for my colleagues as well as myself when I say that we have no thought to suggest which we do not suppose to be a fair element in the strictly legal judgment which you are required to make up. In performing the duty assigned to me in the case, I shall necessarily refer to the mere rudiments of constitutional law, to the most commonplace topics of history, and to those plain rules of justice and right which pervade all our institutions. I beg your honors to believe that this is not done because I think that the court, or any member of it, is less familiar with these things than I am, or less sensible to their value, but simply and only because, according to my view of the subject, there is absolutely no other way of dealing with it. If the fundamental principles of American liberty are attacked, and we are driven behind the inner walls of the constitution to defend them, we can repel the assault only with those same old weapons which our ancestors used a hundred years ago. You must not think the worse of our armor because it happens to be old-fashioned, and looks a little rusty from long disuse.

The case before you presents but a single point, and that an exceedingly plain one. It is not incumbered with any of those vexed questions that might be expected to arise out of a great war. You are not called upon to decide what kind of rule a military commander may impose upon the inhabitants of a hostile country which he occupies as a conqueror, or what punishment he may inflict upon the soldiers of his own army, or the followers of his camp; or yet how he may deal with civilians in a beleaguered city or other place in a state of actual siege, which he is required to defend against a public enemy. This contest covers no

such ground as that. The men whose acts we complain of erect themselves into a tribunal for the trial and punishment of citizens who were connected in no way whatever with the army or navy; and this they did in the midst of a community whose social and legal organization had never been disturbed by any war or insurrection, where the courts were wide open, where judicial process was executed every day without interruption, and where all the civil authorities, both state and national, were in full exercise of their functions. My clients were dragged before this strange tribunal, and, after a proceeding, which it would be mere mockery to call a trial, they were ordered to be hung. The charge against them was put into writing, and is found on this record, but you will not be able to decipher its meaning. The relators were not accused of treason, for no act is imputed to them which, if true, would come within the definition of that crime. It was not conspiracy, under the act of 1861, for all concerned in this business must have known that conspiracy was not a capital offense. If the commissioners were able to read English, they could not help but see that it was made punishable, even by fine and imprisonment, only upon condition that the parties should first be convicted before a circuit or district court of the United States. The judge advocate must have meant to charge them with some offense unknown to the laws which he chose to make capital by legislation of his own, and the commissioners were so profoundly ignorant as to think that the legal innocence of the parties made no difference in the case. I do not say, what Sir James Mackintosh said of a similar proceeding, that the trial was a mere conspiracy to commit wilful murder upon three innocent men. The commissioners are not on trial; they are absent and undefended; and they are entitled to the benefit of that charity which presumes them to be wholly unacquainted with the first principles of natural justice, and quite unable to comprehend either the law or the facts of a criminal cause.

Keeping the character of the charges in mind, let us come at once to the simple question which the court below divided in opinion: Had the commissioners jurisdiction? Were they invested with legal authority to try the relators and put them to death for the offense of which they were accused? We answer, no; and therefore the whole proceeding, from beginning to end, was utterly null and void. On the other hand, it is absolutely necessary for those who oppose us to assert, and they do assert, that the commissioners had complete legal jurisdiction, both of the subject-matter and of the parties, so that their judgment upon the law and facts is absolutely conclusive and binding, not subject to correction, nor open to inquiry in any court whatever. Of these two opposite views you must adopt one or the other, for there is no middle ground

on which you can possibly stand. I need not say (for it is the law of the hornbooks) that, where a court (whatever may be its power in other respects) presumes to try a man for an offense of which it has no right to take judicial cognizance, all its proceedings in that case are null and void. If the party is acquitted, he cannot plead the acquittal afterwards in bar of another prosecution. If he is found guilty and sentenced, he is entitled to be relieved from the punishment. If a circuit court of the United States should undertake to try a party for an offense clearly within the exclusive jurisdiction of the state courts, the judgment could have no effect. If a county court in the interior of a state should arrest an officer of the federal navy, try him, and order him to be hung for some offense against the law of nations committed upon the high seas or in a foreign port, nobody would treat such a judgment otherwise than with mere derision. The federal courts have jurisdiction to try offenses against the laws of the United States, and the authority of the state courts is confined to the punishment of acts which are made penal by state laws. It follows that, where the accusation does not amount to an offense against the law of either the state or federal government, no court can have jurisdiction to try it. Suppose, for example, that the judges of this court should organize themselves into a tribunal to try a man for witchcraft, or heresy, or treason against the Confederate States of America, would anybody say that your judgment had the least validity? I care not, therefore, whether the relators were intended to be charged with treason or conspiracy, or with some offense of which the law takes no notice. Either or any way, the men who undertook to try them had no jurisdiction of the subject-matter. Nor had they jurisdiction of the parties. It is not pretended that this was a case of impeachment, or a case arising in the land or naval forces. It is either nothing at all, or else it is a simple crime against the United States, committed by private individuals not in the public service, civil or military. Persons standing in that relation to the government are answerable for the offenses which they may commit only to the civil courts of the country. So says the constitution, as we read it; and the act of congress of March 3, 1863, which was passed in express reference to persons precisely in the situation of these men, declares that they shall be delivered up for trial to the proper civil authorities. There being no jurisdiction of the subject-matter or of the parties, you are bound to relieve the petitioners. It is as much the duty of a judge to protect the innocent as it is to punish the guilty. Suppose that the secretary of some department should take it into his head to establish an ecclesiastical tribunal here in the city of Washington, composed of clergymen "organized to convict" everybody who prays after a fashion inconsistent with the

supposed safety of the state. If he would select the members with a proper regard to the *odium theologicum,* I think I could insure him a commission that would hang every man and woman who might be brought before it. But would you, the judges of the land, stand by and see their sentences executed? No; you would interpose your writ of prohibition, your *habeas corpus,* or any other process that might be at your command, between them and their victims; and you would do that for precisely the reason which requires your intervention here,—because religious errors, like political errors, are not crimes which anybody in this country has jurisdiction to punish, and because ecclesiastical commissions, like military commissions, are not among the judicial institutions of this people. Our fathers long ago cast them both aside among the rubbish of the Dark Ages; and they intended that we, their children, should know them only that we might blush and shudder at the shameless injustice and the brutal cruelties which they were allowed to perpetrate in other times and other countries.

But our friends on the other side are not at all impressed with these views. Their brief corresponds exactly with the doctrines propounded by the attorney general, in a very elaborate official paper, which he published last July, upon this same subject. He then avowed it to be his settled and deliberate opinion that the military might "take and kill, try and execute" (I use his own words), persons who had no sort of connection with the army or navy; and, though this be done in the face of the open courts, the judicial authority, according to him, are utterly powerless to prevent the slaughter which may thus be carried on. That is the thesis which the attorney general and his assistant counselors are to maintain this day, if they can maintain it, with all the power of their artful eloquence. We, on the other hand, submit that a person not in the military or naval service cannot be punished at all until he has had a fair, open, public trial before an impartial jury, in an ordained and established court, to which the jurisdiction has been given by law to try him for that specific offense. There is our proposition. Between the ground we take and the ground they occupy there is and there can be no compromise. It is one way or the other. Our proposition ought to be received as true without any argument to support it; because, if that, or something precisely equivalent to it, be not a part of our law, this is not, what we have always supposed it to be, a free country. Nevertheless, I take upon myself the burden of showing affirmatively not only that it is true, but that it is immovably fixed in the very framework of the government, so that it is utterly impossible to detach it without destroying the whole political structure under which we live. By removing it you destroy the life of this nation as completely as you

would destroy the life of an individual by cutting the heart out of his body. I proceed to the proof.

In the first place, the self-evident truth will not be denied that the trial and punishment of an offender against the government is the exercise of judicial authority. That is a kind of authority which would be lost by being diffused among the masses of the people. A judge would be no judge if everybody else were a judge as well as he. Therefore, in every society, however rude or however perfect its organization, the judicial authority is always committed to the hands of particular persons, who are trusted to use it wisely and well; and their authority is exclusive,—they cannot share it with others to whom it has not been committed. Where, then, is the judicial power in this country? Who are the depositaries of it here? The federal constitution answers that question in very plain words by declaring that "the judicial power of the United States shall be vested in one supreme court, and in such inferior courts as congress may from time to time ordain and establish." Congress has, from time to time, ordained and established certain inferior courts; and in them, together with the one supreme court, to which they are subordinate, is vested all the judicial power, properly so called, which the United States can lawfully exercise. That was the compact made with the general government at the time it was created. The states and the people agreed to bestow upon that government a certain portion of the judicial power, which otherwise would have remained in their own hands, but gave it on a solemn trust, and coupled the grant of it with this express condition that it should never be used in any way but one,—that is, by means of ordained and established courts. Any person, therefore, who undertakes to exercise judicial power in any other way, not only violates the law of the land, but he treacherously tramples upon the most important part of that sacred covenant which holds these states together.

May it please your honors, you know, and I know, and everybody else knows, that it was the intention of the men who founded this republic to put the life, liberty, and property of every person in it under the protection of a regular and permanent judiciary, separate, apart, distinct from all other branches of the government, whose sole and exclusive business it should be to distribute justice among the people according to the wants of each individual. It was to consist of courts, always open to the complaint of the injured, and always ready to hear criminal accusations when founded upon probable cause; surrounded with all the machinery necessary for the investigation of truth, and clothed with sufficient power to carry their decrees into execution. In these courts it was expected that judges would sit who would be upright, honest and

sober men, learned in the laws of their country, and lovers of justice from the habitual practice of that virtue; independent, because their salaries could not be reduced; and free from party passion, because their tenure of office was for life. Although this would place them above the clamors of the mere mob, and beyond the reach of executive influence, it was not intended that they should be wholly irresponsible. For any wilful or corrupt violation of their duty they are liable to be impeached; and they cannot escape the control of an enlightened public opinion, for they must sit with open doors, listen to full discussion, and give satisfactory reasons for the judgments they pronounce. In ordinary, tranquil times, the citizen might feel himself safe under a judicial system so organized. But our wise forefathers knew that tranquillity was not to be always anticipated in a republic. The spirit of a free people is often turbulent. They expected that strife would rise between classes and sections, and even civil war might come, and they supposed that in such times judges themselves might not be safely trusted in criminal cases,—especially in prosecutions for political offenses, where the whole power of the executive is arrayed against the accused party. All history proves that public officers of any government, when they are engaged in a severe struggle to retain their places, become bitter and ferocious, and hate those who oppose them, even in the most legitimate way, with a rancor which they never exhibit toward actual crime. This kind of malignity vents itself in prosecutions for political offenses, sedition, conspiracy, libel, and treason, and the charges are generally founded upon the information of hireling spies and common delators, who make merchandise of their oaths, and trade in the blood of their fellow men. During the civil commotions in England, which lasted from the beginning of the reign of Charles I. to the revolution in 1688, the best men and purest patriots that ever lived fell by the hand of the public executioner. Judges were made the instruments for inflicting the most merciless sentences on men the latchet of whose shoes the ministers that prosecuted them were not worthy to stoop down and unloose. Let me say here that nothing has occurred in the history of this country to justify the doubt of judicial integrity which our forefathers seem to have felt. On the contrary, the highest compliment that has ever been paid to the American bench is embodied in this simple fact: that if the executive officers of this government have ever desired to take away the life or the liberty of a citizen contrary to law, they have not come into the courts to get it done; they have gone outside of the courts, and stepped over the constitution, and created their own tribunals, composed of men whose gross ignorance and supple subservience could always be relied on for those base uses to which no judge would ever lend himself. But the framers

of the constitution could act only upon the experience of that country whose history they knew most about, and there they saw the brutal ferocity of Jeffreys and Scroggs, the timidity of Guilford, and the base venality of such men as Saunders and Wright. It seemed necessary, therefore, not only to make the judiciary as perfect as possible, but to give the citizen yet another shield against the wrath and malice of his government. To that end they could think of no better provision than a public trial before an impartial jury.

I do not assert that the jury trial is an infallible mode of ascertaining truth. Like everything human, it has its imperfections. I only say that it is the best protection for innocence, and the surest mode of punishing guilt, that has yet been discovered. It has borne the test of a longer experience, and borne it better than any other legal institution that ever existed among men. England owes more of her freedom, her grandeur, and her prosperity to that than to all other causes put together. It has had the approbation not only of those who lived under it, but of great thinkers who looked at it calmly from a distance, and judged it impartially. Montesquieu and De Tocqueville speak of it with an admiration as rapturous as Coke and Blackstone. Within the present century, the most enlightened states of continental Europe have transplanted it into their countries; and no people ever adopted it once, and were afterwards willing to part with it. It was only in 1840 that an interference with it in Belgium provoked a successful insurrection which permanently divided one kingdom into two. In the same year, the revolution of the Barricades gave the right of trial by jury to every Frenchman. Those colonists of this country who came from the British islands brought this institution with them, and they regarded it as the most precious part of their inheritance. The immigrants from other places, where trial by jury did not exist, became equally attached to it as soon as they understood what it was. There was no subject upon which all the inhabitants of the country were more perfectly unanimous than they were in their determination to maintain this great right unimpaired. An attempt was made to set it aside, and substitute military trials in its place, by Lord Dunmore, in Virginia, and General Gage, in Massachusetts, accompanied with the excuse which has been repeated so often in late days, namely, that rebellion had made it necessary; but it excited intense popular anger, and every colony, from New Hampshire to Georgia, made common cause with the two whose rights had been especially invaded. Subsequently the continental congress thundered it into the ear of the world as an unendurable outrage, sufficient to justify universal insurrection against the authority of the government which had allowed it to be done.

If the men who fought out our Revolutionary contest, when they came to frame a government for themselves and their posterity, had failed to insert a provision making the trial by jury perpetual and universal, they would have covered themselves all over with infamy as with a garment, for they would have proved themselves basely recreant to the principles of that very liberty of which they professed to be the special champions. But they were guilty of no such treachery. They not only took care of the trial by jury, but they regulated every step to be taken in a criminal trial. They knew very well that no people could be free under a government which had the power to punish without restraint. Hamilton expressed in the *Federalist* the universal sentiment of his time when he said that the arbitrary power of conviction and punishment for pretended offenses had been the great engine of despotism in all ages and all countries. The existence of such a power is utterly incompatible with freedom. The difference between a master and his slave consists only in this: that the master holds the lash in his hands, and he may use it without legal restraint, while the naked back of the slave is bound to take whatever is laid on it. But our fathers were not absurd enough to put unlimited power in the hands of the ruler, and take away the protection of law from the rights of individuals. It was not thus that they meant "to secure the blessings of liberty to themselves and their posterity." They determined that not one drop of the blood which had been shed on the other side of the Atlantic during seven centuries of contest with arbitrary power should sink into the ground, but the fruits of every popular victory should be garnered up in this new government. Of all the great rights already won they threw not an atom away. They went over *Magna Charta,* the petition of rights, the bill of rights, and the rules of the common law, and whatever was found there to favor individual liberty they carefully inserted in their own system, improved by clearer expression, strengthened by heavier sanctions, and extended by a more universal application. They put all those provisions into the organic law, so that neither tyranny in the executive nor party rage in the legislature could change them without destroying the government itself.

Look for a moment at the particulars, and see how carefully everything connected with the administration of punitive justice is guarded.

(1) No *ex post facto* law shall be passed. No man shall be answerable criminally for any act which was not defined and made punishable as a crime by some law in force at the time when the act was done.

(2) For an act which is criminal he cannot be arrested without a judicial warrant founded on proof of probable cause. He shall not be kidnapped and shut up on the mere report of some base spy, who gathers

the materials of a false accusation by crawling into his house and listening at the keyhole of his chamber door.

(3) He shall not be compelled to testify against himself. He may be examined before he is committed, and tell his own story if he pleases, but the rack shall be put out of sight, and even his conscience shall not be tortured; nor shall his unpublished papers be used against him, as was done most wrongfully in the case of Algernon Sidney.

(4) He shall be entitled to a speedy trial; not kept in prison for an indefinite time without the opportunity of vindicating his innocence.

(5) He shall be informed of the accusation, its nature and grounds. The public accuser must put the charge into the form of a legal indictment, so that the party can meet it full in the face.

(6) Even to the indictment he need not answer unless a grand jury, after hearing the evidence, shall say upon their oaths that they believe it to be true.

(7) Then comes the trial, and it must be before a regular court, of competent jurisdiction, ordained and established for the state and district in which the crime was committed; and this shall not be evaded by a legislative change in the district after the crime is alleged to be done.

(8) His guilt or innocence shall be determined by an impartial jury. These English words are to be understood in their English sense, and they mean that the jurors shall be fairly selected by a sworn officer from among the peers of the party, residing within the local jurisdiction of the court. When they are called into the box, he can purge the panel of all dishonesty, prejudice, personal enmity, and ignorance by a certain number of peremptory challenges, and as many more challenges as he can sustain by showing reasonable cause.

(9) The trial shall be public and open, that no underhand advantage may be taken. The party shall be confronted with the witnesses against him, have compulsory process for his own witnesses, and be entitled to the assistance of counsel in his defense.

(10) After the evidence is heard and discussed, unless the jury shall, upon their oaths, unanimously agree to surrender him up into the hands of the court as a guilty man, not a hair of his head can be touched by way of punishment.

(11) After a verdict of guilty, he is still protected. No cruel or unusual punishment shall be inflicted, nor any punishment at all, except what is annexed by the law to his offense. It cannot be doubted for a moment that, if a person convicted of an offense not capital were to be hung on the order of a judge, such judge would be guilty of murder as plainly as if he should come down from the bench, tuck up the sleeves of his gown, and let out the prisoner's blood with his own hand.

(12) After all is over, the law continues to spread its guardianship around him. Whether he is acquitted or condemned, he shall never again be molested for that offense. No man shall be twice put in jeopardy of life or limb for the same cause.

These rules apply to all criminal prosecutions; but, in addition to these, certain special regulations were required for treason,—the one great political charge under which more innocent men have fallen than any other. A tyrannical government calls everybody a traitor who shows the least unwillingness to be a slave. The party in power never fails, when it can, to stretch the law on that subject by construction, so as to cover its honest and conscientious opponents. In the absence of a constitutional provision, it was justly feared that statutes might be passed which would put the lives of the most patriotic citizens at the mercy of the basest minions that skulk about under the pay of the executive. Therefore a definition of treason was given in the fundamental law, and the legislative authority could not enlarge it to serve the purpose of partisan malice. The nature and amount of evidence required to prove the crime was also prescribed, so that prejudice and enmity might have no share in the conviction. And, lastly, the punishment was so limited that the property of the party could not be confiscated, and used to reward the agents of his persecutors, or strip his family of their subsistence.

If these provisions exist in full force, unchangeable and irrepealable, then we are not heredity bondsmen. Every citizen may safely pursue his lawful calling in the open day; and at night, if he is conscious of innocence, he may lie down in security, and sleep the sound sleep of a freeman. I say they are in force, and they will remain in force. We have not surrendered them, and we never will. If the worst comes to the worst, we will look to the living God for his help, and defend our rights and the rights of our children to the last extremity. Those men who think we can be subjected and abjected to the condition of mere slaves are wholly mistaken. The great race to which we belong has not degenerated so fatally. But how am I to prove the existence of these rights? I do not propose to do it by a long chain of legal argumentation, nor by the production of numerous books with the leaves dog-eared and the pages marked. If it depended upon judicial precedents, I think I could produce as many as might be necessary. If I claimed this freedom under any kind of prescription, I could prove a good long possession in ourselves and those under whom we claim it. I might begin with Tacitus, and show how the contest arose in the forests of Germany more than two thousand years ago; how the rough virtues and sound common sense of that people established the right of trial by

jury, and thus started on a career which has made their posterity the foremost race that ever lived in all the tide of time. The Saxons carried it to England, and were ever ready to defend it with their blood. It was crushed out by the Danish invasion; and all that they suffered of tyranny and oppression during the period of their subjugation resulted from the want of trial by jury. If that had been conceded to them, the reaction would not have taken place which drove back the Danes to their frozen homes in the north. But those ruffian sea kings could not understand that, and the reaction came. Alfred, the greatest of revolutionary heroes, and the wisest monarch that ever sat on a throne, made the first use of his power, after the Saxons restored it, to reëstablish their ancient laws. He had promised them that he would, and he was true to them, because they had been true to him. But it was not easily done. The courts were opposed to it, for it limited their power; a kind of power that everybody covets,—the power to punish without regard to law. He was obliged to hang forty-four judges in one year for refusing to give his subjects a trial by jury. When the historian says that he hung them, it is not meant that he put them to death without a trial. He had them impeached before the grand council of the nation, the Wittenagemote, the parliament of that time. During the subsequent period of Saxon domination, no man on English soil was powerful enough to refuse a legal trial to the meanest peasant. If any minister or any king, in war or in peace, had dared to punish a freeman by a tribunal of his own appointment, he would have roused the wrath of the whole population. All orders of society would have resisted it,—lord and vassal, knight and squire, priest and penitent, bocman and socman, master and thrall, copy-holder and villein, would have risen in one mass, and burned the offender to death in his castle, or followed him in his flight and torn him to atoms. It was again trampled down by the Norman conquerors; but the evils resulting from the want of it united all classes in the effort which compelled King John to restore it by the Great Charter. Everybody is familiar with the struggles which the English people, during many generations, made for their rights with the Plantagenets, the Tudors, and the Stuarts, and which ended finally in the revolution of 1688, when the liberties of England were placed upon an impregnable basis by the bill of rights.

Many times the attempt was made to stretch the royal authority far enough to justify military trials, but it never had more than temporary success. Five hundred years ago Edward II. closed up a great rebellion by taking the life of its leader, the Earl of Lancaster, after trying him before a military court. Eight years later that same king, together with his lords and commons in parliament assembled, acknowledged with

shame and sorrow that the execution of Lancaster was a mere murder, because the courts were open, and he might have had a legal trial. Queen Elizabeth, for sundry reasons affecting the safety of the state, ordered that certain offenders not of her army should be tried according to the law martial; but she heard the storm of popular vengeance rising, and, haughty, imperious, self-willed as she was, she yielded the point, for she knew that upon that subject the English people would never consent to be trifled with. Strafford, as lord lieutenant of Ireland, tried the Viscount Stormont before a military commission. When impeached for it, he pleaded in vain that Ireland was in a state of insurrection, that Stormont was a traitor, and the army would be undone if it could not defend itself without appealing to the civil courts. The parliament was deaf; the king himself could not save him; he was condemned to suffer death as a traitor and a murderer. Charles I. issued commissions to divers officers for the trial of his enemies according to the course of military law. If rebellion ever was an excuse for such an act, he could surely have pleaded it, for there was scarcely a spot in his kingdom, from sea to sea, where the royal authority was not disputed by somebody. Yet the parliament demanded in their petition of right, and the king was obliged to concede, that all his commissions were illegal. James II. claimed the right to suspend the operation of the penal laws,—a power which the courts denied,—but the experience of his predecessors taught him that he could not suspend any man's right to a trial. He could easily have convicted the seven bishops of any offense he saw fit to charge them with if he could have selected their judges from among the mercenary creatures to whom he had given commands in his army; but this he dared not do. He was obliged to send the bishops to a jury, and endure the mortification of seeing them acquitted. He, too, might have had rebellion for an excuse, if rebellion be an excuse. The conspiracy was already ripe which, a few months afterwards, made him an exile and an outcast. He had reason to believe that the Prince of Orange was making his preparations on the other side of the channel to invade the kingdom, where thousands burned to join him; nay, he pronounced the bishops guilty of rebellion by the very act for which he arrested them. He had raised an army to meet the rebellion, and he was on Hounslow Heath, reviewing the troops organized for that purpose, when he heard the great shout of joy that went up from Westminster Hall, was echoed back from Templar Bar, spread down the city and over the Thames, and rose from every vessel on the river,—the simultaneous shout of two hundred thousand men for the triumph of justice and law.

If it were worth the time, I might detain you by showing how this subject was treated by the French court of cassation, in Geoffroy's case,

under the constitution of 1830, when a military judgment was unhesitatingly pronounced to be void, though ordered by the king, after a proclamation declaring Paris in a state of siege. *Fas est ab hoste doceri,* —we may lawfully learn something from our enemies; at all events, we should blush at the thought of not being equal on such a subject to the courts of Virginia, Georgia, Mississippi, and Texas, whose decisions my colleague, General Garfield, has read and commented on. The truth is that no authority exists anywhere in the world for the doctrine of the attorney general. No judge or jurist, no statesman or parliamentary orator, on this or the other side of the water, sustains him. Every elementary writer from Coke to Wharton is against him. All military authors, who profess to know the duties of their profession, admit themselves to be under, not above, the laws. No book can be found in any library to justify the assertion that military tribunals may try a citizen at a place where the courts are open. When I say no book, I mean, of course, no book of acknowledged authority. I do not deny that hireling clergymen have often been found to disgrace the pulpit by trying to prove the divine right of kings and other rulers to govern as they please. It is true, also, that court sycophants and party hacks have many times written pamphlets, and perhaps large volumes, to show that those whom they serve should be allowed to work out their bloody will upon the people. No abuse of power is too flagrant to find its defenders among such servile creatures. Those butchers' dogs that feed upon garbage and fatten upon the offal of the shambles, are always ready to bark at whatever interferes with the trade of their master. But this case does not depend on authority. It is rather a question of fact than of law. I prove my right to a trial by jury, just as I would prove my title to an estate if I held in my hand a solemn deed conveying it to me, coupled with undeniable evidence of long and undisturbed possession under and according to the deed. There is the charter by which we claim to hold it. It is called the "Constitution of the United States." It is signed by the sacred name of George Washington, and by thirty-nine other names, only less illustrious than his. They represented every independent state then upon this continent, and each state afterwards ratified their work by a separate convention of its own people. Every state that subsequently came in acknowledged that this was the great standard by which their rights were to be measured. Every man that has ever held office in this country, from that time to this, has taken an oath that he would support and sustain it through good report and through evil. The attorney general himself became a party to the instrument when he laid his hand upon the Gospel of God and solemnly swore that he would give to me and every other citizen the full benefit of

all it contains. What does it contain? This, among other things: "The trial of all crimes, except in cases of impeachment, shall be by jury." Again: "No person shall be held to answer for a capital or otherwise infamous crime unless on a presentment or indictment of a grand jury, except in cases arising in the land and naval forces, or in the militia when in actual service in time of war or public danger; nor shall any person be subject, for the same offense, to be twice put in jeopardy of life or limb, nor be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property without due process of law; nor shall private property be taken for public use without just compensation." This is not all; another article declares that "in all criminal prosecutions the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the state and district wherein the crime shall have been committed, which district shall have been previously ascertained by law; and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for the witnesses in his favor; and to have the assistance of counsel for his defense." Is there any ambiguity there? If that does not signify that a jury trial shall be the exclusive and only means of ascertaining guilt in criminal cases, then I demand to know what words or what collocation of words in the English language would have that effect. Does this mean that a fair, open, speedy, public trial by an impartial jury shall be given only to those persons against whom no special grudge is felt by the attorney general, or the judge advocate, or the head of a department? Shall this inestimable privilege be extended only to men whom the administration does not care to convict? Is it confined to vulgar criminals, who commit ordinary crimes against society, and shall it be denied to men who are accused of such [redacted] those for which Sidney and Russell were beheaded, and [redacted]sle was hung, and Elizabeth Gaunt was burned alive, and John [redacted] was imprisoned fourteen years, and Baxter was whipped at the [redacted]tail, and Prynn had his ears cut off? No; the words of the con-[redacted]ion are all-embracing,—"as broad and general as the casing air." [redacted]e trial of all crimes shall be by jury. All persons accused shall [redacted]oy that privilege, and no person shall be held to answer in any other [redacted]way. That would be sufficient without more. But there is another consideration which gives it ten-fold power. It is a universal rule of construction that general words in any instrument, though they may be weakened by enumeration, are always strengthened by exceptions. Here is no attempt to enumerate the particular cases in which men charged with criminal offenses shall be entitled to a jury trial. It is simply declared that all shall have it. But that is coupled with a statement of

two specific exceptions,—cases of impeachment, and cases arising in the land or naval forces. These exceptions strengthen the application of the general rule to all other cases. Where the lawgiver himself has declared when and in what circumstances you may depart from the general rule, you shall not presume to leave that onward path for other reasons, and make different exceptions. To exceptions, the maximum is always applicable, that *expressio unius exclusio est alterius*. But we are answered that the judgment under consideration was pronounced in time of war, and it is therefore, at least morally, excusable. There may, or there may not, be something in that. I admit that the merits or demerits of any particular act, whether it involve a violation of the constitution or not, depend upon the motives that prompted it, the time, the occasion, and all the attending circumstances. When the people of this country come to decide upon the acts of their rulers, they will take all these things into consideration. But that presents the political aspect of the case, with which, I trust, we have nothing to do here. I decline to discuss it. I would only say, in order to prevent misapprehension, that I think it is precisely in a time of war and civil commotion that we should double the guards upon the constitution. If the sanitary regulations which defend the health of a city are ever to be relaxed, it ought certainly not to be done when pestilence is abroad. When the Mississippi shrinks within its natural channel, and creeps lazily along the bottom, the inhabitants of the adjoining shore have no need of a dike to save them from inundation; but when the booming flood comes down from above, and swells into a volume which rises high above the plain on either side, then a crevasse in the levee becomes a most serious thing. So in peaceable and quiet times our legal rights are in little danger of being overborne; but when the wave of arbitrary power lashes itself into violence and rage, and goes surging up against the barriers which are made to confine it, then we need the whole strength of an unbroken constitution to save us from destruction. But this is a question which properly belongs to the jurisdiction of the stump and the newspaper.

There is another *quasi*-political argument,—necessity. If the law was violated because it could not be obeyed, that might be an excuse. But no absolute compulsion is pretended here. These commissioners acted, at most, under what they regarded as a moral necessity. The choice was left them to obey the law or disobey it. The disobedience was only necessary as means to an end which they thought desirable; and now they assert that, though these means are unlawful and wrong, they are made right, because without them the object could not be accomplished,—in other words, the end justifies the means. There you have a rule of conduct denounced by all law, human and divine, as being per-

nicious in policy and false in morals. See how it applies to this case. Here were three men whom it was desirable to remove out of this world, but there was no proof on which any court would take their lives; therefore it was necessary, and, being necessary, it was right and proper, to create an illegal tribunal which would put them to death without proof. By the same mode of reasoning, you can prove it equally right to poison them in their food, or stab them in their sleep. Nothing that the worst men ever propounded has produced so much oppression, misgovernment, and suffering as this pretense of state necessity. A great authority calls it "the tyrant's devilish plea," and the common honesty of all mankind has branded it with everlasting infamy. Of course, it is mere absurdity to say that these relators were necessarily deprived of their right to a fair and legal trial, for the record shows that a court of competent jurisdiction was sitting at the very time, and in the same town, where justice would have been done without sale, denial, or delay. But concede, for the argument's sake, that a trial by jury was wholly impossible; admit that there was an absolute, overwhelming, imperious necessity operating so as literally to compel every act which the commissioners did,—would that give their sentence of death the validity and force of a legal judgment pronounced by an ordained and established court? The question answers itself. This trial was a violation of law, and no necessity could be more than a mere excuse for those who committed it. If the commissioners were on trial for murder or conspiracy to murder, they might plead necessity, if the fact were true, just as they would plead insanity or anything else to show that their guilt was not wilful. But we are now considering the legal effect of their decision, and that depends on their legal authority to make it. They had no such authority; they usurped a jurisdiction which the law not only did not give them, but expressly forbade them to exercise, and it follows that their act is void, whatever may have been the real or supposed excuse for it. If these commissioners, instead of aiming at the life and liberty of the relators, had attempted to deprive them of their property by a sentence of confiscation, would any court in Christendom declare that such a sentence divested the title? Or would a person claiming under the sentence make his right any better by showing that the illegal assumption of jurisdiction was accompanied by some excuse which might save the commissioners from a criminal prosecution?

Let me illustrate still further. Suppose you, the judges of this court, to be surrounded in the hall where you are sitting by a body of armed insurgents, and compelled, by main force, to pronounce sentence of death upon the president of the United States for some act of his upon which you have no legal authority to adjudicate. There would be a valid sen-

tence if necessity alone could create jurisdiction. But could the president be legally executed under it? No; the compulsion under which you acted would be a good defense for you against an impeachment or an indictment for murder, but it would add nothing to the validity of a judgment which the law forbade you to give. That a necessity for violating the law is nothing more than a mere excuse to the perpetrator, and does not, in any legal sense, change the quality of the act itself in its operation upon other parties, is a proposition too plain on original principles to need the aid of authority. I do not see how any man of common sense is to stand up and dispute it. But there is decisive authority upon the point. In 1815, at New Orleans, General Jackson took upon himself the command of every person in the city, suspended the functions of all the civil authorities, and made his own will for a time the only rule of conduct. It was believed to be absolutely necessary. Judges, officers of the city corporation, and members of the state legislature insisted on it as the only way to save the "booty and beauty" of the place from the unspeakable outrages committed at Badajos and St. Sebastian by the very same troops then marching to the attack. Jackson used the power thus taken by him moderately, sparingly, benignly, and only for the purpose of preventing mutiny in his camp. A single mutineer was restrained by a short confinement, and another was sent four miles up the river. But, after he had saved the city, and the danger was all over, he stood before the court to be tried by the law. His conduct was decided to be illegal by the same judge who had declared it to be necessary, and he paid the penalty without a murmur. The supreme court of Louisiana, in Johnson v. Duncan, decided that everything done during the siege in pursuance of martial rule, but in conflict with the law of the land, was void and of no effect, without reference to the circumstances which made it necessary. Long afterwards the fine imposed upon Jackson was refunded, because his friends, while they admitted him to have violated the law, insisted that the necessity which drove him to it ought to have saved him from the punishment due only to a wilful offender.

The learned counsel on the other side will not assert that there was war at Indianapolis in 1864, for they have read Coke's Institute and Judge Grier's opinion in the Prize Cases, and of course they know it to be a settled rule that war cannot be said to exist where the civil courts are open. They will not set up the absurd plea of necessity, for they are well aware that it would not be true in point of fact. They will hardly take the ground that any kind of necessity could give legal validity to that which the law forbids. This, therefore, must be their position: that, although there was no war at the place where this com-

mission sat, and no actual necessity for it, yet, if there was a war anywhere else, to which the United States were a party, the technical effect of such war was to take the jurisdiction away from the civil courts and transfer it to army officers.

General Butler: We do not take that position.

Mr. Black: Then they can take no ground at all, for nothing else is left. I do not wonder to see them recoil from their own doctrine when its nakedness is held up to their eyes; but they must stand upon that or give up their cause. They may not state their proposition precisely as I state it,—that is too plain a way of putting it; but, in substance, it is their doctrine,—has been the doctrine of the attorney general's office ever since the advent of the present incumbent,—and is the doctrine of their brief, printed and filed in this case. What else can they say? They will admit that the constitution is not altogether without a meaning; that, at a time of universal peace, it imposes some kind of obligation upon those who swear to support it. If no war existed, they would not deny the exclusive jurisdiction of the civil courts in criminal cases. How, then, did the military get jurisdiction in Indiana? All men who hold the attorney general's opinion to be true, answer the question I have put by saying that military jurisdiction comes from the mere existence of war; and it comes in Indiana only as the legal result of a war which is going on in Mississippi, Tennessee, or South Carolina. The constitution is repealed, or its operation suspended, in one state, because there is war in another. The courts are open, the organization of society is intact, the judges are on the bench, and their process is not impeded; but their jurisdiction is gone. Why? Because, say our opponents, war exists, and the silent, legal, technical operation of that fact is to deprive all American citizens of their right to a fair trial. That class of jurists and statesmen who hold that the trial by jury is lost to the citizen during the existence of war carry out their doctrine theoretically and practically to its ultimate consequences. The right of trial by jury being gone, all other rights are gone with it. Therefore a man may be arrested without an accusation, and kept in prison during the pleasure of his captors; his papers may be searched without a warrant; his property may be confiscated behind his back; and he has no earthly means of redress,—nay, an attempt to get a just remedy is construed as a new crime. He dare not even complain, for the right of free speech is gone with the rest of his rights. If you sanction that doctrine, what is to be the consequence? I do not speak of what is past and gone; but in case of a future war, what results will follow from your decision

indorsing the attorney general's views? They are very obvious. At the instant when the war begins, our whole system of legal government will tumble into ruin, and, if we are not all robbed and kidnapped and hanged and drawn and quartered, we will owe our immunity, not to the constitution and laws, but to the mere mercy or policy of those persons who may then happen to control the organized physical force of the country.

This certainly puts us in a most precarious condition. We must have war about half the time, do what we may to avoid it. The president or congress can wantonly provoke a war whenever it suits the purpose of either to do so; and they can keep it going as long as they please, even after the actual conflict of arms is over. When Peace woos them, they can ignore her existence; and thus they can make war a chronic condition of the country, and the slavery of the people perpetual. Nay, we are at the mercy of any foreign potentate who may envy us the possession of those liberties which we boost of so much. He can shatter our constitution without striking a single blow, or bringing a gun to bear upon us. A simple declaration of hostilities is more terrible to us than an army with banners. To me this seems the wildest delusion that ever took possession of a human brain. If there be one principle of political ethics more universally acknowledged than another, it is that war, and especially civil war, can be justified only when it is undertaken to vindicate and uphold the legal and constitutional rights of the people; not to trample them down. He who carries on a system of wholesale slaughter for any other purpose must stand without excuse before God or man. In a time of war, more than at any other time, public liberty is in the hands of the public officers; and she is there in double trust,—first, as they are citizens, and therefore bound to defend her by the common obligation of all citizens, and, next, as they are her special guardians—

> "Who should against her murderers shut the door,
> Not bear the knife themselves."

The opposing argument, when turned into plain English, means this, and this only: that, when the constitution is attacked upon one side, its official guardians may assail it upon the other; when rebellion strikes it in the face, they may take advantage of the blindness produced by the blow to sneak behind it and stab it in the back. The convention when it framed the constitution, and the people when they adopted it, could have had no thought like that. If they had supposed that it would operate only while perfect peace continued, they certainly would have given us

some other rule to go by in time of war; they would not have left us to wander about in a howling wilderness of anarchy, without a lamp to our feet or a guide to our path. Another thing proves their actual intent still more strikingly. They required that every man in any kind of public employment, state or national, civil or military, should swear, without reserve or qualification, that he would support the constitution. Surely our ancestors had too much regard for the moral and religious welfare of their posterity to impose upon them an oath like that if they intended and expected it to be broken half the time. The oath of an officer to support the constitution is as simple as that of a witness to tell the truth in a court of justice. What would you think of a witness who should attempt to justify perjury upon the ground that he had testified when civil war was raging, and he thought that, by swearing to a lie, he might promote some public or private object connected with the strife? No, no! the great men who made this country what it is—the heroes who won her independence, and the statesmen who settled her institutions—had no such notions in their minds. Washington deserved the lofty praise bestowed upon him by the president of congress when he resigned his commission,—that he had always regarded the rights of the civil authority through all changes and through all disasters. When his duty as president afterwards required him to arm the public force to suppress a rebellion in western Pennsylvania, he never thought that the constitution was abolished, by virtue of that fact, in New Jersey, or Maryland, or Virginia. It would have been a dangerous experiment for an adviser of his at that time, or at any time, to propose that he should deny a citizen his right to be tried by a jury, and substitute in place of it a trial before a tribunal composed of men elected by himself from among his own creatures and dependents. You can well imagine how that great heart would have swelled with indignation at the bare thought of such an insulting outrage upon the liberty and law of his country.

In the war of 1812, the man emphatically called the "Father of the Constitution" was the supreme executive magistrate. Talk of perilous times! There was the severest trial this Union ever saw. That was no half-organized rebellion on the one side of the conflict, to be crushed by the hostile millions and unbounded resources of the other. The existence of the nation was threatened by the most formidable military and naval power then upon the face of the earth. Every town upon the northern frontier, upon the Atlantic seaboard, and upon the Gulf coast was in daily and hourly danger. The enemy had penetrated the heart of Ohio. New York, Pennsylvania, and Virginia were all of them threatened from the west, as well as the east. This capitol was taken, and burned, and pillaged, and every member of the federal administration

was a fugitive before the invading army. Meanwhile, party spirit was breaking out into actual treason all over New England. Four of those states refused to furnish a man or a dollar even for their own defense. Their public authorities were plotting the dismemberment of the Union, and individuals among them were burning blue lights upon the coast as a signal to the enemy's ships. But in all this storm of disaster, with foreign war in his front, and domestic treason on his flank, Madison gave out no sign that he would aid Old England and New England to break up this government of laws. On the contrary, he and all his supporters, though compassed round with darkness and with danger, stood faithfully between the constitution and its enemies—

"To shield it, and save it, or perish there too."

The framers of the constitution and all their contemporaries died and were buried; their children succeeded them, and continued on the stage of public affairs until they, too,

"Lived out their lease of life, and paid their breath
To time and mortal custom."

And a third generation was already far on its way to the grave before this monstrous doctrine was conceived or thought of—that public officers all over the country might disregard their oaths whenever a war or a rebellion was commenced.

Our friends on the other side are quite conscious that, when they deny the binding obligation of the constitution, they must put some other system of law in its place. Their brief gives notice that, while the constitution, and the acts of congress, and *Magna Charta,* and the common law, and all the rules of natural justice shall remain under foot, they will try American citizens according to the law of nations! But the law of nations takes no notice of the subject. If that system did contain a special provision that a government might hang one of its own citizens without judge or jury, it would still be competent for the American people to say, as they have said, that no such thing should ever be done here. That is my answer to the law of nations. But then they tell us that the laws of war must be treated as paramount. Here they become mysterious. Do they mean that code of public law which defines the duties of two belligerent parties to one another, and regulates the intercourse of neutrals with both? If yes, then it is simply a recurrence to the law of nations, which has nothing on earth to do with the subject. Do they mean that portion of our municipal code which defines our duties to the government in war as well as in peace? Then they are speaking of the consti-

tution and laws, which declare in plain words that the government owes every citizen a fair legal trial, as much as the citizen owes obedience to the government. They are in search of an argument under difficulties. When they appeal to international law, it is silent; and when they interrogate the law of the land, the answer is an unequivocal contradiction of their whole theory.

The attorney general tells us that all persons whom he and his associates choose to denounce for giving aid to the rebellion are to be treated as being themselves a part of the rebellion,--they are public enemies, and therefore they may be punished without being found guilty by a competent court or a jury. This convenient rule would outlaw every citizen the moment he is charged with a political offense. But political offenders are precisely the class of persons who most need the protection of a court and jury, for the prosecutions against them are most likely to be unfounded both in fact and in law. Whether innocent or guilty, to accuse is to convict them before the ignorant and bigoted men who generally sit in military courts. But this court decided in the Prize Cases that all who live in the enemy's territory are public enemies, without regard to their personal sentiments or conduct; and the converse of the proposition is equally true,—that all who reside inside of our own territory are to be treated as under the protection of the law. If they help the enemy, they are criminals; but they cannot be punished without legal conviction.

You have heard much (and you will hear more very soon) concerning the natural and inherent right of the government to defend itself without regard to law. This is wholly fallacious. In a despotism the autocrat is unrestricted in the means he may use for the defense of his authority against the opposition of his own subjects or others, and that is precisely what makes him a despot; but in a limited monarchy the prince must confine himself to a legal defense of his government. If he goes beyond that, and commits aggressions on the rights of the people, he breaks the social compact, releases his subjects from all their obligations to him, renders himself liable to be hurled from his throne, and dragged to the block or driven into exile. This principle was sternly enforced in the cases of Charles I. and James II., and we have it announced on the highest official authority here that the Queen of England cannot ring a little bell on her table, and cause a man, by her arbitrary order, to be arrested under any pretense whatever. If that be true there, how much more true must it be here, where we have no personal sovereign, and where our only government is the constitution and laws! A violation of law, on pretense of saving such a government as ours, is not self-preservation, but suicide.

Salus populi suprema lex. Observe it is not *salus regis;* the safety of the people, not the safety of the ruler, is the supreme law. When those

who hold the authority of the government in their hands behave in such manner as to put the liberties and rights of the people in jeopardy, the people may rise against them and overthrow them without regard to that law which requires obedience to them. The maxim is revolutionary, and expresses simply the right to resist tyranny, without regard to prescribed forms. It can never be used to stretch the powers of government against the people. If this government of ours has no power to defend itself without violating its own laws, it carries the seeds of destruction in its own bosom; it is a poor, weak, blind, staggering thing, and the sooner it tumbles over the better. But it has a most efficient legal mode of protecting itself against all possible danger. It is clothed from head to foot in a complete panoply of defensive armor. What are the perils which may threaten its existence? I am not able at this moment to think of more than these which I am about to mention,—foreign invasion, domestic insurrection, mutiny in the army and navy, corruption in the civil administration, and last, but not least, criminal violations of its laws committed by individuals among the body of the people. Have we not a legal mode of defense against all these? Yes. Military force repels invasion and suppresses insurrection; you preserve discipline in the army and navy by means of courts-martial; you preserve the purity of the civil administration by impeaching dishonest magistrates; and crimes are prevented and punished by the regular judicial authorities. You are not merely compelled to use these weapons against your enemies, because they, and they only, are justified by the law; you ought to use them because they are more efficient than any other, and less liable to be abused.

There is another view of the subject which settles all controversy about it. No human being in this country can exercise any kind of public authority which is not conferred by law; and under the United States it must be given by the express words of a written statute. Whatever is not so given is withheld, and the exercise of it is positively prohibited. Courts-martial in the army and navy are authorized; they are legal institutions; their jurisdiction is limited, and their whole code of procedure is regulated, by act of congress. Upon the civil courts all the jurisdiction they have or can have is bestowed by law, and, if one of them goes beyond what is written, its action is *ultra vires* and void. But a military commission is not a court-martial, and it is not a civil court. It is not governed by the law which is made for either, and has no law of its own. Within the last five years we have seen, for the first time, self-constituted tribunals not only assuming power which the law did not give them, but thrusting aside the regular courts to which the power was exclusively given. What is the consequence? This terrible authority is wholly undefined, and its exercise is without any legal control. Undelegated power is

always unlimited. The field that lies outside of the constitution and laws has no boundary. Thierry, the French historian of England, says that, when the crown and scepter were offered to Cromwell, he hesitated for several days, and answered: "Do not make me a king, for then my hands will be tied up by the laws which define the duties of that office; but make me protector of the commonwealth, and I can do what I please,—no statute restraining and limiting the royal prerogative will apply to me." So these commissions have no legal origin and no legal name by which they are known among the children of men; no law applies to them; and they exercise all power for the paradoxical reason that none belongs to them rightfully.

Ask the attorney general what rules apply to military commissions in the exercise of their assumed authority over civilians. Come, Mr. Attorney, "gird up thy loins now like a man. I will demand of thee, and thou shalt declare unto me if thou hast understanding." How is a military commission organized? What shall be the number and rank of its members? What offenses come within its jurisdiction? What is its code of procedure? How shall witnesses be compelled to attend it? Is it perjury for a witness to swear falsely? What is the function of the judge advocate? Does he tell the members how they must find, or does he only persuade them to convict? Is he the agent of the government, to command them what evidence they shall admit, and what sentence they shall pronounce, or does he always carry his point, right or wrong, by the mere force of eloquence and ingenuity? What is the nature of their punishment? May they confiscate property and levy fines, as well as imprison and kill? In addition to strangling their victim, may they also deny him the last consolations of religion, and refuse his family the melancholy privilege of giving him a decent grave? To none of these questions can the attorney general make a reply, for there is no law on the subject. He will not attempt to "darken counsel by words without knowledge," and therefore, like Job, he can only lay his hand upon his mouth and keep silence.

The power exercised through those military commissions is not only unregulated by law, but it is incapable of being so regulated. What is it that you claim, Mr. Attorney? I will give you a definition, the correctness of which you will not attempt to gainsay. You assert the right of the executive government, without the intervention of the judiciary, to capture, imprison, and kill any person to whom that government or its paid dependents may choose to impute an offense. This, in its very essence, is despotic and lawless. It is never claimed or tolerated except by those governments which deny the restraints of all law. It has been exercised by the great and small oppressors of mankind ever since the

days of Nimrod. It operates in different ways; the tools it uses are not always the same; it hides its hideous features under many disguises; it assumes every variety of form;

> "It can change shapes with Proteus for advantages,
> And set the murderous Machiavel to school."

But in all its mutations of outward appearance it is still identical in principle, object, and origin. It is always the same great engine of despotism which Hamilton described it to be.

Under the old French monarchy, the favorite fashion of it was a *lettre de cachet,* signed by the king, and this would consign the party to a loathsome dungeon until he died, forgotten by all the world. An imperial *ukase* will answer the same purpose in Russia. The most faithful subject of that amiable autocracy may lie down in the evening to dream of his future prosperity, and before daybreak he will find himself between two dragoons on his way to the mines of Siberia. In Turkey, the verbal order of the sultan or any of his powerful favorites will cause a man to be tied up in a sack and cast into the Bosphorus. Nero accused Peter and Paul of spreading a "pestilent superstition," which they called the Gospel. He heard their defense in person, and sent them to the cross. Afterwards he tried the whole Christian church in one body on a charge of setting fire to the city, and he convicted them, though he knew, not only that they were innocent, but that he himself had committed the crime. The judgment was followed by instant execution. He let loose the Prætorian guards upon men, women and children, to drown, butcher and burn them. Herod saw fit, for good political reasons, closely affecting the permanence of his reign in Judea, to punish certain possible traitors in Bethlehem by anticipation. This required the death of all the children in that city under two years of age. He issued his "general order"; and his provost marshal carried it out with so much alacrity and zeal that in one day the whole land was filled with mourning and lamentation. Macbeth understood the whole philosophy of the subject. He was an unlimited monarch. His power to punish for any offense or for no offense at all was as broad as that which the attorney general claims for himself and his brother officers under the United States. But he was more cautious how he used it. He had a dangerous rival, from whom he apprehended the most serious peril to the "life of his government." The necessity to get rid of him was plain enough, but he could not afford to shock the moral sense of the world by pleading political necessity for a murder. He must

> "Mask the business from the common eye."

Accordingly, he sent for two enterprising gentlemen, whom he took into his service upon liberal pay,—"made love to their assistance,"—and got them to deal with the accused party. He acted as his own judge advocate. He made a most elegant and stirring speech to persuade his agents that Banquo was their oppressor, and had "held them so under fortune" that he ought to die for that alone. When they agreed that he was their enemy, then said the king:

> "So is he mine, and though I could,
> With barefaced power, sweep him from my sight,
> And bid my will avouch it, yet I must not,
> For certain friends, who are both his and mine,
> Whose loves I may not drop."

For these, and "many weighty reasons" besides, he thought it best to commit the execution of his design to a subordinate agency. The commission thus organized in Banquo's case sat upon him that very night, at a convenient place beside the road where it was known he would be traveling; and they did precisely what the attorney general says the military officers may do in this country,—they took and killed him, because their employer at the head of the government wanted it done, and paid them for doing it out of the public treasury.

But of all the persons that ever wielded this kind of power, the one who went most directly to the purpose and object of it was Lola Montez. She reduced it to the elementary principle. In 1848, when she was minister and mistress to the King of Bavaria, she dictated all the measures of the government. The times were troublesome. All over Germany the spirit of rebellion was rising; everywhere the people wanted to see a first-class revolution, like that which had just exploded in France. Many persons in Bavaria disliked to be governed so absolutely by a lady of the character which Lola Montez bore, and some of them were rash enough to say so. Of course that was treason, and she went about to punish it in the simplest of all possible ways. She bought herself a pack of English bulldogs, trained to tear the flesh, and mangle the limbs, and lap the life blood, and with these dogs at her heels, she marched up and down the streets of Munich with a most majestic tread, and with a sense of power which any judge advocate in America might envy. When she saw any person whom she chose to denounce for "thwarting the government" or "using disloyal language," her obedient followers needed but a sign to make them spring at the throat of their victim. It gives me unspeakable pleasure to tell you the sequel. The people rose in their strength, smashed down the whole machinery of oppression, and drove

out into uttermost shame king, strumpet, dogs, and all. From that time to this, neither man, woman, nor beast has dared to worry or kill the people of Bavaria.

All these are but so many different ways of using the arbitrary power to punish. The variety is merely in the means which a tyrannical government takes to destroy those whom it is bound to protect. Everywhere it is but another construction, on the same principle, of that remorseless machine by which despotism wreaks its vengeance on those who offend it. In a civilized country it nearly always uses the military force, because that is the sharpest and surest, as well as the best-looking, instrument that can be found for such a purpose. But in none of its forms can it be introduced into this country. We have no room for it; the ground here is all preoccupied by legal and free institutions. Between the officers who have a power like this and the people who are liable to become its victims, there can be no relation except that of master and slave. The master may be kind, and the slave may be contented in his bondage; but the man who can take your life, or restrain your liberty, or despoil you of your property at his discretion, either with his own hands or by means of a hired overseer, owns you, and he can force you to serve him. All you are and all you have, including your wives and children, are his property. If my learned and very good friend, the attorney general, had this right of domination over me, I should not be very much frightened, for I should expect him to use it as moderately as any man in all the world; but still I should feel the necessity of being very discreet. He might change in a short time. The thirst for blood is an appetite which grows by what it feeds upon. We cannot know him by present appearances. Robespierre resigned a country judgeship in early life because he was too tender hearted to pronounce sentence of death upon a convicted criminal. Caligula passed for a most amiable young gentleman before he was clothed with the imperial purple, and for about eight months afterwards. It was Trajan, I think, who said absolute power would convert any man into a wild beast, whatever was the original benevolence of his nature. If you decide that the attorney general holds in his own hands, or shares with others, the power of life and death over us all, I mean to be very cautious in my intercourse with him; and I warn you, the judges whom I am now addressing, to do likewise. Trust not to the gentleness and kindness which have always marked his behavior heretofore. Keep your distance; be careful how you approach him; for you know not at what moment or by what a trifle you may rouse the sleeping tiger. Remember the injunction of Scripture: "Go not near to the man who hath power to kill; and if thou come unto him, see that thou make

no fault, lest he take away thy life presently, for thou goest among snares, and walkest upon the battlements of the city."

The right of the executive government to kill and imprison citizens for political offenses has not been practically claimed in this country except in cases where commissioned officers of the army were the instruments used. Why should it be confined to them? Why should not naval officers be permitted to share in it? What is the reason that common soldiers and seamen are excluded from all participation in the business? No law has bestowed the right upon army officers more than upon other persons. If men are to be hung up without that legal trial which the constitution guarantees to them, why not employ commissions of clergymen, merchants, manufacturers, horse dealers, butchers, or drovers to do it? It will not be pretended that military men are better qualified to decide questions of fact or law than other classes of people; for it is known, on the contrary, that they are, as a general rule, least of all fitted to perform the duties that belong to a judge. The attorney general thinks that a proceeding which takes away the lives of citizens without a constitutional trial is a most merciful dispensation. His idea of humanity as well as law is embodied in the bureau of military justice, with all its dark and bloody machinery. For that strange opinion he gives this curious reason: that the duty of the commander in chief is to kill, and, unless he has this bureau and these commissions, he must "butcher" indiscriminately, without mercy or justice. I admit that, if the commander in chief or any other officer of the government has the power of an Asiatic king; to butcher the people at pleasure, he ought to have somebody to aid him in selecting his victims, as well as to do the rough work of strangling and shooting. But if my learned friend will only condescend to cast an eye upon the constitution, he will see at once that all the executive and military officers are completely relieved by the provision that the life of a citizen shall not be taken at all until after legal conviction by a court and jury.

You cannot help but see that military commissions, if suffered to go on, will be used for most pernicious purposes. I have criticized none of their past proceedings, nor made any allusion to their history in the last five years. But what can be the meaning of this effort to maintain them among us? Certainly not to punish actual guilt. All the ends of true justice are attained by the prompt, speedy, impartial trial which the courts are bound to give. Is there any danger that crime will be winked upon by the judges? Does anybody pretend that courts and juries have less ability to decide upon facts and law than the men who sit in military tribunals? The counsel in this cause will not insult you by even hinting such an opinion. What righteous or just purpose, then, can they

serve? None, whatever. But while they are utterly powerless to do even a shadow of good, they will be omnipotent to trample upon innocence, to gag the truth, to silence patriotism, and crush the liberties of the country. They will always be organized to convict, and the conviction will follow the accusation as surely as night follows the day. The government, of course, will accuse none before such a commission except those whom it predetermines to ruin and destroy. The accuser can choose the judges, and will certainly select those who are known to be the most ignorant, the most unprincipled, and the most ready to do whatever may please the power which gives them pay, promotion, and plunder. The willing witness can be found as easily as the superserviceable judge. The treacherous spy and the base informer—those loathsome wretches who do their lying by the job—will stock such a market with abundant perjury, for the authorities that employ them will be bound to protect as well as reward them. A corrupt and tyrannical government, with such an engine at its command, will shock the world with the enormity of its crimes. Plied, as it may be, by the arts of a malignant priesthood, and urged on by the madness of a raving crowd, it will be worse than the popish plot or the French revolution,—it will be a combination of both, with Fouquier-Tinville on the bench, and Titus Oates in the witness box. You can save us from this horrible fate. You alone can "deliver us from the body of this death." To that fearful extent is the destiny of this nation in your hands!

§ 4

A CHARGE TO A JURY

By Benjamin R. Curtis

(Delivered in the case of the United States against James McGlue, in the United States Circuit Court for the District of Massachusetts, 1851. This was an indictment against James McGlue, the second officer of the bark *Lewis*, of Salem, for the murder of Charles A. Johnson, the first officer of the bark. The facts are stated in the charge to the jury. The prisoner was acquitted.—Note in Veeder's "Legal Masterpieces," p. 752.)

Gentlemen of the Jury: The prisoner is indicted for the murder of Charles A. Johnson. It is incumbent on the government to prove, beyond reasonable doubt, the truth of every fact in the indictment necessary, in point of law, to constitute the offense. These facts need not be proved

Benjamin R. Curtis. Born in Watertown, Mass., 1809; graduated from Harvard, 1829; associate justice of the Supreme Court of the United States, 1851-57; died at Newport, R. I., 1874.

beyond all possible doubt; but a moral conviction must be produced in your minds, so as to enable you to say that, on your consciences, you do verily believe their truth. These facts are in part controverted, and in part, as I understand the course of the trial, not controverted; and it will be useful to separate the one from the other. That there was an unlawful killing of Mr. Johnson, the person mentioned in the indictment, by means substantially the same as are therein described; that the mortal wound, immediately producing death, was inflicted by the prisoner at the bar; that this wound was given, and the death took place, on board the bark *Lewis,* a registered vessel of the United States, belonging to citizens of the United States; that Johnson was the first, and the prisoner the second, officer of that vessel, at the time of the occurrence; that the vessel, at that time, was either on the high seas, as is charged in one count, or upon waters within the dominion of the Sultan of Muscat, a foreign sovereign, as is charged in another count; and that the prisoner was first brought into this district after the commission of the alleged offense,—do not appear to be denied, and the evidence is certainly sufficient to warrant you in finding all these facts. They are testified to by all the witnesses. It is not upon a denial of either of these facts that the defense is rested, but upon the allegation by the defendant that, at the time the act was done, he was so far insane as to be criminally irresponsible for his act. And this brings you to consider the remaining allegation in the indictment which involves the defense. It is essential to the crime of murder that the killing should be from what the law denominates "malice aforethought," and the government must prove this allegation; but it is not necessary to offer evidence of previous threats, or preparation to kill, or that there was a previously premeditated design to kill. These things, if proved, would be evidence of malice, and proof of this kind is one of the means of sustaining the allegation of malice. But, besides this direct evidence of what is called in the law "express malice," malice may be also inferred or implied from the nature of the act of the accused. If a person, without such provocation as the law deems sufficient to reduce the crime to manslaughter, intentionally inflicts, with a dangerous weapon, a blow calculated to produce, and actually producing, death, the law deems the act malicious, and the offense is murder. The law considers that the party meant to effect what was the natural consequence of his act; that, if the natural consequence of his act was death, he meant to kill, and, if he so intended, in the absence of such provocation as the law considers sufficient to account for that intent, from the infirmity of human passion, then it is to be inferred that malice existed, and from that feeling the act was done. In other words, the intention to kill unlawfully, without sufficient provocation, is a malicious

intention, and, if the intent is executed, the killing is, in law, from malice aforethought, and is murder.

Keeping these principles in view, you will proceed to inquire what the evidence is of a premeditated design to kill; and, secondly, whether the act of killing, and the circumstances attending it, were such that malice is to be inferred therefrom. The only evidence at all tending to show premeditated design is given by the master of the vessel, and by Saunders, the cabin boy. The master states that, in a previous part of the voyage, four or five weeks before the time in question, while the vessel was in port, and he himself was absent on shore, some difficulty occurred between the first and second officer, in consequence of which the latter applied to him for his discharge. The witness does not know anything of the nature or extent of the difficulty, nor of the feeling to which it gave rise in the breast of either party to it, saving that it produced, in the prisoner, a reluctance to continue under the command of the first officer. His discharge was refused, and there is no evidence of any further quarrel between them. It is also sworn by the master and the cabin boy that, when Mr. Johnson fell, after being stabbed by the prisoner, some of the crew raised him up, and the prisoner said: "It is of no use. I meant to kill him, and I have done it." These expressions are not testified to by any of the crew. In such a scene, it is in accordance with experience that some witnesses may observe and remember what other witnesses either do not hear or attend to, or have forgotten; and therefore, when these two witnesses swear to this expression, if you consider they are fair witnesses, and intend to tell the truth, they should be believed in this particular, although others present do not confirm their statement. But at the same time, upon this question of malice, it does not seem to me the expressions, if used, are important, because they only declare in words what the act of the defendant, in its nature and circumstances, evinces with equal clearness. It is testified by all the witnesses present at the time, that, the vessel being at anchor about three miles from the shore of the island of Zanzibar, orders were given by the master to get under way; that the first officer was forward, on the house over the forecastle, attending to his duty; that the crew were variously employed in preparations to make sail; and that the prisoner, being aft, ran forward, jumped onto the house, seized Mr. Johnson by the collar with his left hand, and with his sheath knife, which he held in his right hand, stabbed him in the breast, and he dropped dead. When the prisoner seized him, Mr. Johnson said, "What do you mean?" and the prisoner, at the instant he struck the blow, replied, "I mean what I am doing."

Now, gentlemen, if you believe this statement,—and there is certainly no evidence in the case to contradict or vary it, every witness concurring

with the rest in the substance of it,—there can be no question that the killing was malicious, provided the prisoner was, at the time, in such a condition as to be capable, in law, of malice. If you are satisfied the prisoner designedly stabbed Mr. Johnson with a knife, in such a manner as was likely to cause, and did cause, death, no provocation whatsoever being given at the time, then, in point of law, the killing was from malice aforethought, unless you should also find that the prisoner, when he did the act, was so far insane as to be incapable in law of entertaining malice; for the rules of law concerning malice are all based upon the assumption that the person who struck the blow was at the time in such a state of mind as to be responsible, criminally, for his act. If he was then so insane that the law holds him irresponsible, it deems him incapable of entertaining legal malice, and therefore no malice is, in that case, to be inferred from his act, however atrocious it may have been. And, undoubtedly, one main inquiry in this case is whether the prisoner, when he struck the blow, was so far insane as to be held by the law irresponsible for intentionally killing Mr. Johnson.

Some observations have been made by the counsel on each side respecting the character of this defense. On the one side, it is urged upon you that the defense of insanity has become of alarming frequency, and that there is reason to believe it is resorted to by great criminals to shield them from the just consequences of their crimes, when all other defenses are found desperate; that there exist in the community certain theories concerning what is called "moral insanity," held by ingenious and zealous persons, and brought forward on trials of this kind, tending to subvert the criminal law, and render crimes likely not to be punished, somewhat in proportion to their atrocity. On the other hand, the inhumanity and the intrinsic injustice of holding him guilty of murder who was not, at the time of the act, a reasonable being, have been brought before you in the most striking forms. These observations of the counsel on both sides are worthy of your attention, and their just effect should be to cause you to follow, steadily and carefully and exactly, the rules of law upon this subject. The general question, whether the prisoner's state of mind, when he struck the blow, was such as to exempt him from legal responsibility, is a question of fact for your decision, the responsibility of deciding which rightly rests upon you alone. But there are certain rules of law which you are bound to apply, and the court, upon its responsibility, is to lay down; and these rules, when applied, will conduct you to the only safe decision, because these rules will enable you to do what you have sworn to do,—that is, to render a verdict according to the law and the evidence given you. You will observe, then, that this defense of insanity is to be tested and governed by principles of law, and is to

be made out in accordance with legal rules. No defendant can be rightly acquitted of a crime by reason of insanity upon any loose, general notions which may be afloat in the community, or even upon the speculation of men of science. In a court of justice, these must all yield to the known and fixed rules which the law prescribes. And I now proceed to state to you such of them as are applicable to this case.

The first is that this defendant must be presumed to be sane till his insanity is proved. Men, in general, are sufficiently sane to be responsible for their criminal acts. To be irresponsible because of insanity is an exception to that general rule; and before any man can claim the benefit of such an exception, he must prove that he is within it. You will therefore take it to be the law that the prisoner is not to be acquitted upon the ground of insanity unless, upon the whole evidence, you are satisfied that he was insane when he struck the blow.

The next inquiry is, what is meant by insanity? What is it which exempts from punishment because its existence is inconsistent with a criminal intent? Clearly, it is not every kind and degree of insanity which is sufficient. There have been, and probably always are, in the world, instances of men of general ability, filling, with credit and usefulness, eminent positions, and sustaining through life, with high honor, the most important civil and social relations, who were, upon some one topic or subject, unquestionably insane. There have been, and undoubtedly always are, in the world, many men whose minds are such that the conclusions of their reason and the results of their judgment, tested by those of men in general, would be very far astray from right. There are many more whose passions are so strong, and whose conscience and reason and judgment are so weak, or so perverted, that not only particular acts, but the whole course of their lives, may, in some sense, be denominated insane. And there are combinations of these, or some of these, deficiencies or disorders or perversions or weaknesses or diseases. They are an important, as well as a deeply interesting, study; and they find their place in that science which ministers to diseases of the mind, and which, in recent times, has done so much to alleviate and remove some of the deepest distresses of humanity. But the law is not a medical or a metaphysical science. Its search is after those practical rules which may be administered, without inhumanity, for the security of civil society, by protecting it from crime; and therefore it inquires, not into the peculiar constitution of mind of the accused, or what weaknesses, or even disorders, he was afflicted with, but solely whether he was capable of having, and did have, a criminal intent. If he had, it punishes him; if not, it holds him dispunishable. And it supplies a test by which the jury is to ascertain whether the accused be so far insane as to be irresponsible.

That test is the capacity to distinguish between right and wrong as to the particular act with which the accused is charged. If he understands the nature of his act,—if he knows his act is criminal, and that, if he does it, he will do wrong and deserve punishment,—then, in the judgment of the law, he has a criminal intent, and is not so far insane as to be exempt from responsibility. On the other hand, if he be under such delusion as not to understand the nature of his act, or if he has not sufficient memory and reason and judgment to know that he is doing wrong, or not sufficient conscience to discern that his act is criminal, and deserving punishment, then he is not responsible. This is the test which the law prescribes, and these are the inquiries which you are to make on this part of the case: Did the prisoner understand the nature of his act when he stabbed Mr. Johnson? Did he know he was doing wrong, and deserve punishment? Or, to apply them more nearly to this case: Did the prisoner know that he was killing Mr. Johnson? That so to do was criminal and deserving punishment? If so, he had the criminal intent necessary to convict him of the crime of murder, and he cannot be acquitted on the ground of insanity. It is not necessary here to consider a case of a person killing another under a delusive idea, which, if true, would either mitigate or excuse the offense, for there is no evidence pointing to any such delusion.

It is asserted by the prisoner that, when he struck the blow, he was suffering under a disease known as "delirium tremens." He has introduced evidence tending to prove his intemperate drinking of ardent spirits during several days before the time in question, and also certain effects of this intemperance. Physicians of great eminence, and particularly experienced in the observation of this disease, have been examined on both sides. They were not, as you observed, allowed to give their opinions upon the case, because the case, in point of fact, on which anyone might give his opinion, might not be the case which you, upon the evidence, would find, and there would be no certain means of knowing whether it was so or not. It is not the province of an expert to draw inferences of fact from the evidence, but simply to declare his opinion upon a known or hypothetical state of facts; and therefore the counsel on each side have put to the physicians such states of fact as they deem warranted by the evidence, and have taken their opinions thereon. If you consider that any of these states of fact put to the physicians are proved, then the opinions thereon are admissible evidence, to be weighed by you; otherwise, their opinions are not applicable to this case. And here I may remark, gentlemen, that although, in general, witnesses are held to state only facts, and are not allowed to give their opinions in a court of law, yet this rule does not exclude the opinions of those whose professions

and studies or occupations are supposed to have rendered them peculiarly skillful concerning questions which arise in trials, and which belong to some particular calling or profession. We take the opinions of physicians in this case for the same reason we resort to them in our own cases out of court, because they are believed to be better able to form a correct opinion, upon a subject within the scope of their studies and practice, than men in general, and therefore better than those who compose your panel; but these opinions, though proper for your respectful consideration, and entitled to have, in your hands, all that weight which reasonably and justly belong to them, are nevertheless not binding on you, against your own judgment, but should be weighed, and, especially where they differ, compared by you, and such effect allowed to them as you think right, not forgetting that on you alone rests the responsibility of a correct verdict. Besides these opinions, upon cases assumed by the counsel, which you may find to correspond more or less nearly with the actual case on trial, the physicians have also described to you the symptoms of the disease of delirium tremens. They all agree that it is a disease of a very distinct and strongly marked character, and as little liable to be mistaken as any known in medicine. All the physicians have described it in substantially the same way. I will read from my notes that given by Dr. Bell. He says the symptoms are: "(1) Delirium, taking the form of apprehensiveness on the part of the patient. He is fearful of something,—fears pursuit by officers or foes. Sometimes demons and snakes are about him. In the earlier stages, in attempting to escape from his imaginary pursuers, he will attack others, as well as injure himself; but he is much more apprehensive of receiving injury than desirous of inflicting it, except to escape, He is generally timid and irresolute, and easily pacified and controlled. (2) Sleeplessness. I believe delirium tremens cannot exist without this. (3) Tremulousness, especially of the hands, but showing itself in the limbs and the tongue. (4) After a time sleep occurs, and reason thus returns. I do not recall any instance where sleep came on in less than three days, dating from the last sleep. At first it is rather broken, not giving full relief; and this is followed by a very profound sleep, lasting six or eight hours, from which the patient awakes sane." Dr. Stedman, who, from his care of the marine hospital at Chelsea, and of the city hospital at South Boston, has had great experience in the treatment of this disease, after describing its symptoms substantially as Dr. Bell did, says its access may be very sudden, and he has often known it first to manifest itself by the patient's attacking those about him, regarding them as enemies; that it is in accordance with his experience that a case may terminate within two days of the time when the delirium first manifests itself, and that it rarely lasts

more than four days; that he has arrested the disease in forty-eight hours by the use of sulphuric ether.

Taking along with you these accounts of the symptoms and course and termination of this disease, you will inquire whether the evidence proves these symptoms existed in this case; and whether the previous habits and the intemperate use of ardent spirits, from which this disease springs, are shown; and whether the recovery of the prisoner corresponded with the course and termination of the disease of delirium tremens, as described by the physicians. In respect to the previous intemperance of the prisoner, and the symptoms, course, and termination of the disease, you are to look to the accounts of the conduct and acts of the prisoner, given by his shipmates. Their testimony will be fresh in your recollection, and it is not necessary for me to detail it. How recently before the homicide had he slept? Was his demeanor, for two or three days previous, natural, or was he restless? Was any tremor of the hands or limbs visible, and, if so, was it very marked or not? Did he utter any exclamations manifesting apprehensiveness before or immediately after the act? When, and under what circumstances, did he recover his reason, if he was delirious, and especially did he recover it without sleep? These are all important inquiries to be made by you, and answered as a careful consideration of the evidence may convince you they should be answered.

It is not denied, on the part of the government, that the prisoner had drank intemperately of the ardent spirits of the country during some days before the occurrence. But the district attorney insists that he had continued so to drink down to a short time before the homicide, and that, when he struck the blow, it was in a fit of drunken madness; and this renders it necessary for me to instruct you concerning the law upon the state of facts which the prosecutor asserts existed. Although delirium tremens is the product of intemperance, and therefore, in some sense, is voluntarily brought on, yet it is distinguishable, and by the law is distinguished, from that madness which sometimes accompanies drunkenness. If a person suffering under delirium tremens is so far insane as I have described to be necessary to render him irresponsible, the law does not punish him for any crime he may commit; but if a person commits crime under the immediate influence of liquor, and while intoxicated, the law does punish him, however mad he may have been. It is no excuse, but rather an aggravation, of his offense, that he first deprived himself of his reason before he did the act. You would easily see that there would be no security for life or property if men were allowed to commit crimes with impunity, provided they would first make themselves drunk enough to cease to be reasonable beings. And therefore it is an inquiry of great

importance in this case, and, in the actual state of the evidence, I think one of no small difficulty, whether this homicide was committed while the prisoner was suffering under that marked and settled disease of delirium tremens, or in a fit of drunken madness. My instruction to you is that, if the prisoner, while sane and responsible, made himself intoxicated, and, while intoxicated, committed a murder by reason of insanity, which was one of the consequences of that intoxication, and one of the attendants on that state, then he is responsible in point of law, and must be punished. This is as clearly the law of the land as the other rule, which exempts from punishment acts done under delirium tremens. It may sometimes be difficult to determine under which rule, in point of fact, the accused comes. Perhaps you will think it not easy to determine it in this case. But it is the duty of the jury to ascertain from the evidence on which side of the line this case falls, and to decide accordingly. It may be very material for you to know on which party is the burden of proof in this part of the case. I have already told you that it is incumbent on the prisoner to satisfy you he was insane when he struck the blow, for the reason that, as men in general are sane, the law presumes each man to be so till the contrary is proved; but if the contrary has been proved,—if you are satisfied the prisoner was insane,—the law does not presume his insanity arose from any particular cause, and it is incumbent on the party which asserts that it did arise from a particular cause, and that the prisoner is guilty by law because it arose from that cause, to make out this necessary element in the charge to the same extent as every other element in it; for the charge then assumes this form: that the prisoner committed a murder for which, though insane, he is responsible, because his insanity was produced by and accompanied a state of intoxication. In my judgment, the government must satisfy you of these facts, which are necessary to the guilt of the prisoner in point of law, provided you are convinced he was insane. You will look carefully at all the evidence bearing on this question, and, if you are convinced that the prisoner was insane to that extent which I have described as necessary to render him irresponsible, you will acquit him, unless you are also convinced his insanity was produced by intoxication, and accompanied that state, in which case you will find him guilty.

§ 5

THE CASE OF THE CHAMBERLAIN OF LONDON AGAINST EVANS

By Lord Mansfield

(Delivered in the House of Lords, February 4, 1767)

(This case arose out of a plan to build a new mansion house for the lord mayor of London at the expense of dissenters. It was proposed to levy contributions upon the wealth of the dissenters by means of a municipal by-law imposing a fine of £600 on any person who should be elected sheriff and decline to serve. Some wealthy dissenter was chosen sheriff, and, as the test and corporation acts rendered him incapable of serving, he was compelled to decline. He was then fined £600, under the by-law. After numerous appointments had been made, and £15,000 actually paid in, Allan Evans, who had been selected as a victim, refused to pay the fine. In an action by the city to recover the fine, he pleaded his rights under the toleration act, but judgment was rendered against him. On appeal to the court of common pleas, this judgment was reversed, whereupon the city took the case before the house of lords. The judges of the court of king's bench were consulted, and all but one were of the opinion that Evans' plea was a good defense. In moving judgment in the house of lords, Lord Mansfield made the following speech. Judgment was entered in accordance with Lord Mansfield's motion.—From note in Veeder's "Legal Masterpieces," p. 9.)

My Lords: As I made the motion for taking the opinion of the learned judges, and proposed the question your lordships have been pleased to put to them, it may be expected that I should make some further motion, in consequence of the opinions they have delivered.

In moving for the opinion of the judges, I had two views. The first was that the house might have the benefit of their assistance in forming a right judgment in this cause now before us, upon this writ of error. The next was that, the question being fully discussed, the grounds of our judgment, together with their exceptions, limitations, and restrictions, might be clearly and certainly known, as a rule to be followed hereafter in all future cases of the like nature; and this determined me as to the manner of wording the question, "How far the defendant might, in the present case, be allowed to plead his disability in bar of the action brought against him?"

William Murray (Lord Mansfield). Born at Scone, Scotland, March 2, 1705; died in London, March 20, 1793; called to the bar in Lincoln Inn, London, in 1731; 1753 became attorney general; 1756 was made Chief Justice of the King's bench, and raised to the peerage; 1776 was created Earl of Mansfield.

The question thus worded shows the point upon which your lordships thought this case turned; and the answer necessarily fixes a criterion under what circumstances, and by what persons, such a disability may be pleaded as an exemption from the penalty inflicted by this by-law upon those who decline taking upon them the office of sheriff.

In every view in which I have been able to consider this matter, I think this action cannot be supported.

1. If they rely on the corporation act, by the literal and express provision of that act no person can be elected who hath not within a year taken the sacrament in the Church of England. The defendant hath not taken the sacrament within a year; he is not, therefore, elected. Here they fail.

If they ground it on the general design of the legislature in passing the corporation act, the design was to exclude dissenters from office, and disable them from serving; for in those times, when a spirit of intolerance prevailed, and severe measures were pursued, the dissenters were reputed and treated as persons ill affected and dangerous to the government. The defendant, therefore, a dissenter, and in the eye of this law a person dangerous and ill affected, is excluded from office and disabled from serving. Here they fail.

If they ground the action on their own by-law, that by-law was professedly made to procure fit and able persons to serve the office; and the defendant is not fit and able, being expressly disabled by statute law. Here, too, they fail.

If they ground it on his disability's being owing to a neglect of taking the sacrament at church when he ought to have done it, the toleration act having freed the dissenters from all obligation to take the sacrament at church, the defendant is guilty of no neglect,—no criminal neglect, Here, therefore, they fail.

These points, my lords, will appear clear and plain.

2. The corporation act, pleaded by the defendant as rendering him ineligible to this office, and incapable of taking it upon him, was most certainly intended by the legislature to prohibit the persons therein described being elected to any corporation offices, and disable them from taking such offices upon them. The act had two parts: First, it appointed a commission for turning out all that were at that time in office who would not comply with what was required as the condition of their continuance therein, and even gave a power to turn them out though they should comply; and then it further enacted that, from the termination of that commission, no person hereafter who had not taken the sacrament according to the rites of the Church of England within one year preceding the time of such election should be placed, chosen, or elected into

any office of or belonging to the government of any corporation; and this was done, as it was expressly declared in the preamble to the act, in order to perpetuate the succession in corporations in the hands of persons well affected to government in church and state.

It was not their design (as hath been said) "to bring such persons into corporations by inducing them to take the sacrament in the Church of England"; the legislature did not mean to tempt persons who were ill affected to the government, occasionally to conform. It was not, I say, their design to bring them in. They could not trust them, lest they should use the power of their offices to distress and annoy the state. And the reason is alleged in the act itself. It was because there were "evil spirits" among them; and they were afraid of evil spirits, and determined to keep them out. They therefore put it out of the power of electors to choose such persons, and out of their power to serve, and accordingly prescribed a mark or character—laid down a description—whereby they should be known and distinguished by their conduct previous to such an election. Instead of appointing a condition of their serving the office, resulting from their future conduct or some consequent action to be performed by them, they declared such persons incapable of being chosen as had not taken the sacrament in the church within a year before such election; and without this mark of their affection to the church they could not be in office, and there could be no election. But as the law then stood, no man could have pleaded this disability, resulting from the corporation act, in bar of such an action as is now brought against the defendant, because this disability was owing to what was then, in the eye of the law, a crime, every man being required by the canon law (received and confirmed by the statute law) to take the sacrament in the church at least once a year. The law would not then permit a man to say that he had not taken the sacrament in the Church of England, and he could not be allowed to plead it in bar of any action brought against him.

3. But the case is quite altered since the act of toleration. It is now no crime for a man who is within the description of that act to say he is a dissenter, nor is it any crime for him not to take the sacrament according to the rites of the Church of England; nay, the crime is if he does it contrary to the dictates of his conscience.

If it is a crime not to take the sacrament at church, it must be a crime by some law, which must be either common or statute law, the canon law enforcing it being dependent wholly upon the statute law. Now the statute law is repealed as to persons capable of pleading [under the toleration act] that they are so and so qualified, and therefore the canon law is repealed with regard to those persons.

If it is a crime by common law, it must be so either by usage or prin-

ciple. But there is no usage or custom, independent of positive law, which makes nonconformity a crime. The eternal principles of natural religion are part of the common law. The essential principles of revealed religion are part of the common law; so that any person reviling, subverting, or ridiculing them may be prosecuted at common law. But it cannot be shown, from the principles of natural or revealed religion, that, independent of positive law, temporal punishments ought to be inflicted for mere opinions with respect to particular modes of worship.

Persecution for a sincere, though erroneous, conscience, is not to be deduced from reason or the fitness of things. It can only stand upon positive law.

4. It has been said (a) that "the toleration act only amounts to an exemption of the Protestant dissenters from the penalties of certain laws therein particularly mentioned, and to nothing more; that if it had been intended to bear and to have any operation upon the corporation act, the corporation act ought to have been mentioned therein; and there ought to have been some enacting clause exempting dissenters from prosecution in consequence of this act, and enabling them to plead their not having received the sacrament according to the rites of the Church of England in bar of such action." But this is much too limited and narrow a conception of the toleration act, which amounts consequentially to a great deal more than this; and it hath consequentially an inference and operation upon the corporation act in particular. The toleration act renders that which was illegal before, now legal. The dissenters' way of worship is permitted and allowed by this act. It is not only exempted from punishment, but rendered innocent and lawful. It is established; it is put under the protection, and is not merely under the connivance, of the law. In case those who are appointed by law to register dissenting places of worship refuse on any pretense to do it, we must, upon application, send a *mandamus* to compel them.

Now, there cannot be a plainer position than that the law protects nothing in that very respect in which it is, in the eye of the law, at the same time a crime. Dissenters, within the description of the toleration act, are restored to a legal consideration and capacity, and a hundred consequences will from thence follow which are not mentioned in the act. For instance, previous to the toleration act, it was unlawful to devise any legacy for the support of dissenting congregations, or for the benefit of dissenting ministers; for the law knew no such assemblies, and no such persons, and such a devise was absolutely void, being left to what the law called "superstitious purposes." But will it be said in any court in England that such a devise is not a good and valid one now? And yet there is nothing said of this in the toleration act. By this act the dissenters are freed, not

only from the pains and penalties of the laws therein particularly specified, but from all ecclesiastical censures, and from all penalty and punishment whatsoever, on account of their nonconformity, which is allowed and protected by this act, and is, therefore, in the eye of the law, no longer a crime. Now, if the defendant may say he is a dissenter; if the law doth not stop his mouth; if he may declare that he hath not taken the sacrament according to the rites of the Church of England, without being considered as criminal; if, I say, his mouth is not stopped by the law,—he may then plead his not having taken the sacrament according to the rites of the Church of England in bar of this action. It is such a disability as doth not leave him liable to any action or to any penalty whatsoever.

(b) It is indeed said to be "a maxim in law that a man shall not be allowed to disable himself." But when this maxim is applied to the present case, it is laid down in too large a sense. When it is extended to comprehend a legal disability, it is taken in too great a latitude. What! Shall not a man be allowed to plead that he is not fit and able? These words are inserted in the by-law as the ground of making it, and in the plaintiff's declaration as the ground of his action against the defendant. It is alleged that the defendant was fit and able, and that he refused to serve, not having a reasonable excuse. It is certain, and it is hereby in effect admitted, that if he is not fit and able, and that if he hath a reasonable excuse, he may plead it in bar of this action. Surely he might plead that he was not worth fifteen thousand pounds, provided that was really the case, as a circumstance that would render him not fit and able. And if the law allows him to say that he hath not taken the sacrament according to the rites of the Church of England, being within the description of the toleration act, he may plead that likewise to show that he is not fit and able. It is a reasonable, it is a lawful, excuse.

My lords, the meaning of this maxim, "that a man shall not disable himself," is solely this: that a man shall not disable himself by his own wilful crime; and such a disability the law will not allow him to plead. If a man contracts to sell an estate to any person upon certain terms at such a time, and in the meantime he sells it to another, he shall not be allowed to say, "Sir, I cannot fulfil my contract. It is out of my power. I have sold my estate to another." Such a plea would be no bar to an action, because the act of his selling it to another is the very breach of contract. So, likewise, a man who hath promised marriage to one lady, and afterward marries another, cannot plead in bar of a prosecution from the first lady that he is already married, because his marrying the second lady is the very breach of promise to the first. A man shall not be allowed to plead that he was drunk, in bar of a criminal prosecution, though per-

haps he was at the time as incapable of the exercise of reason as if he had been insane, because his drunkenness was itself a crime. He shall not be allowed to excuse one crime by another. The Roman soldier who cut off his thumbs was not suffered to plead his disability for the service to procure his dismission with impunity, because his incapacity was designedly brought on him by his own wilful fault. And I am glad to observe so good an agreement among the judges upon this point, who have stated it with great precision and clearness.

When it was said, therefore, that "a man cannot plead his crime in excuse for not doing what he is by law required to do," it only amounts to this: that he cannot plead in excuse what, when pleaded, is no excuse; but there is not in this the shadow of an objection to his pleading what is an excuse,—pleading a legal disqualification. If he is nominated to be a justice of the peace, he may say, "I cannot be a justice of the peace, for I have not a hundred pounds a year." In like manner, a dissenter may plead, "I have not qualified, and I cannot qualify, and am not obliged to qualify; and you have no right to fine me for not serving."

(c) It hath been said that "the king hath a right to the service of all his subjects." And this assertion is very true, provided it be properly qualified. But surely, against the operation of this general right in particular cases, a man may plead a natural or civil disability. May not a man plead that he was upon the high seas? May not idiocy or lunacy be pleaded, which are natural disabilities; or a judgment of a court of law, and much more a judgment of parliament, which are civil disabilities?

(d) It hath been said to be a maxim that no man can plead his being a lunatic to avoid a deed executed, or excuse an act done, at that time, because, it is said, "if he was a lunatic, he could not remember any action he did during the period of his insanity"; and this doctrine was formerly laid down by some judges. But I am glad to find that of late it hath been generally exploded. For the reason assigned for it is, in my opinion, wholly insufficient to support it; because, though he could not remember what passed during his insanity, yet he might justly say, if he ever executed such a deed or did such an action, it must have been during his confinement or lunacy, for he did not do it either before or since that time.

As to the case in which a man's plea of insanity was actually set aside, it was nothing more than this: it was when they pleaded *ore tenus;* the man pleaded that he was at the time out of his senses. It was replied, "How do you know that you were out of your senses?" No man that is so, knows himself to be so. And accordingly his plea was, upon this quibble, set aside, not because it was not a valid one, if he was out of his senses, but because they concluded he was not out of his senses. If he had alleged that he was at that time confined, being apprehended to

be out of his senses, no advantage could have been taken of his manner of expressing himself, and his plea must have been allowed to be good.

(e) As to Larwood's case, he was not allowed the benefit of the toleration act, because he did not plead it. If he had insisted on his right to the benefit of it in his plea, the judgment must have been different. His inserting it in his replication was not allowed, not because it was not an allegation that would have excused him if it had been originally taken notice of in his plea, but because its being not mentioned till afterward was a departure from his plea.

In the case of the Mayor of Guilford, the toleration act was pleaded. The plea was allowed good, the disability being esteemed a lawful one; and the judgment was right.

And here the defendant hath likewise insisted on his right to the benefit of the toleration act. In his plea he saith he is *bona fide* a dissenter, within the description of the toleration act; that he hath taken the oaths and subscribed the declaration required by that act, to show that he is not a popish recusant; that he hath never received the sacrament according to the rites of the Church of England, and that he cannot in conscience do it; and that for more than fifty years past he hath not been present at church at the celebration of the established worship, but hath constantly received the sacrament and attended divine service among the Protestant dissenters. These facts are not denied by the plaintiff, though they might easily have been traversed; and it was incumbent upon them to have done it, if they had not known they should certainly fail in it. There can be no doubt, therefore, that the defendant is a dissenter,—an honest, conscientious dissenter; and no conscientious dissenter can take the sacrament at church. The defendant saith he cannot do it, and he is not obliged to do it. And as this is the case, as the law allows him to say this, as it hath not stopped his mouth, the plea which he makes is a lawful plea, his disability being through no crime or fault of his own. I say, he is disabled by act of parliament, without the concurrence or intervention of any fault or crime of his own, and therefore he may plead this disability in bar of the present action.

(f) The case of "atheists and infidels" is out of the present question; they come not within the description of the toleration act. And this is the sole point to be inquired into in all cases of the like nature with that of the defendant, who here pleads the toleration act. Is the man *bona fide* a dissenter, within the description of that act? If not, he cannot plead his disability in consequence of his not having taken the sacrament in the Church of England. If he is, he may lawfully and with effect plead it in bar of such an action; and the question on which this distinction is grounded must be tried by a jury.

(g) It hath been said that, "this being a matter between God and a man's own conscience, it cannot come under the cognizance of a jury." But certainly it may; and though God alone is the absolute judge of a man's religious profession and of his conscience, yet there are some marks even of sincerity, among which there is none more certain than consistency. Surely a man's sincerity may be judged of by overt acts. It is a just and excellent maxim, which will hold good in this as in all other cases, "By their fruits ye shall know them." Do they, I do not say go to meeting now and then, but do they frequent the meeting-house? Do they join generally and statedly in divine worship with dissenting congregations? Whether they do or not may be ascertained by their neighbors, and by those who frequent the same places of worship. In case a man hath occasionally conformed for the sake of places of trust and profit, in that case, I imagine, a jury would not hesitate in their verdict. If a man then alleges he is a dissenter, and claims the protection and the advantages of the toleration act, a jury may justly find that he is not a dissenter, within the description of the toleration act, so far as to render his disability a lawful one. If he takes the sacrament for his interest, the jury may fairly conclude that this scruple of conscience is a false pretense when set up to avoid a burden.

The defendant in the present case pleads that he is a dissenter, within the description of the toleration act; that he hath not taken the sacrament in the Church of England within one year preceding the time of his supposed election, nor ever in his whole life; and that he cannot in conscience do it.

Conscience is not controllable by human laws, nor amenable to human tribunals. Persecution, or attempts to force conscience, will never produce conviction, and are only calculated to make hypocrites or martyrs.

5. My lords, there never was a single instance, from the Saxon times down to our own, in which a man was ever punished for erroneous opinions concerning rites or modes of worship but upon some positive law. The common law of England, which is only common reason or usage, knows of no prosecution for mere opinions. For atheism, blasphemy, and reviling the Christian religion, there have been instances of persons prosecuted and punished upon the common law. But bare nonconformity is no sin by the common law, and all positive laws inflicting any pains or penalties for nonconformity to the established rites and modes are repealed by the act of toleration, and dissenters are thereby exempted from all ecclesiastical censures.

What bloodshed and confusion have been occasioned, from the reign of Henry the Fourth, when the first penal statutes were enacted, down to the Revolution in this kingdom, by laws made to force conscience!

There is nothing, certainly, more unreasonable, more inconsistent with the rights of human nature, more contrary to the spirit and precepts of the Christian religion, more iniquitous and unjust, more impolitic, than persecution. It is against natural religion, revealed religion, and sound policy.

Sad experience and a large mind taught that great man, the President De Thou, this doctrine. Let any man read the many admirable things which, though a papist, he hath dared to advance upon the subject, in the dedication of his History to Harry the Fourth of France,—which I never read without rapture,—and he will be fully convinced, not only how cruel, but how impolitic, it is to prosecute for religious opinions. I am sorry that of late his countrymen have begun to open their eyes, see their error, and adopt his sentiments. I should not have broken my heart (I hope I may say it without breach of Christian charity) if France had continued to cherish the Jesuits and to persecute the Huguenots.

There was no occasion to revoke the Edict of Nantes. The Jesuits needed only to have advised a plan similar to what is contended for in the present case,—make a law to render them incapable of office; make another to punish them for not serving. If they accept, punish them (for it is admitted on all hands that the defendant, in the cause before your lordships, is prosecutable for taking the office upon him)—if they accept, punish them; if they refuse, punish them. If they say yes, punish them; if they say no, punish them. My lords, this is a most exquisite dilemma, from which there is no escaping. It is a trap a man cannot get out of; it is as bad persecution as that of Procrustes. If they are too short, stretch them; if they are too long, lop them. Small would have been their consolation to have been gravely told: "The Edict of Nantes is kept inviolable. You have the full benefit of that act of toleration. You may take the sacrament in your own way with impunity. You are not compelled to go to mass." Were this case but told in the city of London as of a proceeding in France, how they would exclaim against the Jesuitical distinction! And yet, in truth, it comes from themselves. The Jesuits never thought of it. When they meant to persecute by their act of toleration, the Edict of Nantes was repealed.

This by-law, by which the dissenters are to be reduced to this wretched dilemma, is a by-law of the city, a local corporation, contrary to an act of parliament, which is the law of the land; a modern by-law of a very modern date, made long since the corporation act, long since the toleration act, in the face of them, for they knew these laws were in being. It was made in some year in the reign of the late king,—I forget which; but it was made about the time of building the mansion house! Now, if it could be supposed the city have a power of making such a by-law, it

would entirely subvert the toleration act, the design of which was to exempt the dissenters from all penalties; for by such a by-law they have it in their power to make every dissenter pay a fine of six hundred pounds, or any sum they please, for it amounts to that.

The professed design of making this by-law was to get fit and able persons to serve the office; and the plaintiff sets forth in his declaration that, if the dissenters are excluded, they shall want fit and able persons to serve the office. But, were I to deliver my own suspicion, it would be that they did not so much wish for their services as their fines. Dissenters have been appointed to this office, one who was blind, another who was bed-ridden,—not, I suppose, on account of their being fit and able to serve the office; no, they were disabled both by nature and by law.

We had a case, lately, in the courts below, of a person chosen mayor of a corporation while he was beyond seas with his majesty's troops in America, and they knew him to be so. Did they want him to serve the office? No; it was impossible. But they had a mind to continue the former mayor a year longer, and to have a pretense for setting aside him who was now chosen, on all future occasions, as having been elected before.

In the case before your lordships, the defendant was by law incapable at the time of his pretended election; and it is my firm persuasion that he was chosen because he was incapable. If he had been capable, he had not been chosen, for they did not want him to serve the office. They chose him because, without a breach of the law and a usurpation on the crown, he could not serve the office. They chose him that he might fall under the penalty of their by-law, made to serve a particular purpose; in opposition to which, and to avoid the fine thereby imposed, he hath pleaded a legal disability, grounded on two acts of parliament. As I am of opinion that his plea is good, I conclude with moving your lordships that the judgment be affirmed.

§ 6

PROTEST AGAINST SENTENCE AS A TRAITOR

By Robert Emmet

(Speech of Robert Emmet before death on the scaffold at the age of twenty-five, before Lord Norbury, in Dublin, Sept. 19, 1803. "There are several versions of this speech, differing materially from each other. The generally received version is here followed as having become too firmly established as a classic of oratory to be superseded or questioned."—Brewer's "World's Best Orations," p. 2030.)

Robert Emmet. Born in Dublin, 1778; educated at Trinity College, Dublin; executed for treason, September 20, 1803.

My Lords: I am asked what have I to say why sentence of death should not be pronounced on me, according to law. I have nothing to say that can alter your predetermination, nor that it will become me to say, with any view to the mitigation of that sentence which you are to pronounce, and I must abide by. But I have that to say which interests me more than life, and which you have labored to destroy. I have much to say why my reputation should be rescued from the load of false accusation and calumny which has been cast upon it. I do not imagine that, seated where you are, your mind can be so free from prejudice as to receive the least impression from what I am going to utter. I have no hopes that I can anchor my character in the breast of a court constituted and trammeled as this is. I only wish, and that is the utmost that I expect, that your lordships may suffer it to float down your memories untainted by the foul breath of prejudice, until it finds some more hospitable harbor to shelter it from the storms by which it is buffeted. Were I only to suffer death, after being adjudged guilty by your tribunal, I should bow in silence, and meet the fate that awaits me without a murmur; but the sentence of the law which delivers my body to the executioner, will, through the ministry of the law, labor in its own vindication to consign my character to obloquy; for there must be guilt somewhere; whether in the sentence of the court, or in the catastrophe, time must determine. A man in my situation has not only to encounter the difficulties of fortune, and the force of power over minds which it has corrupted or subjugated, but the difficulties of established prejudice. The man dies, but his memory lives. That mine may not perish, that it may live in the respect of my countrymen, I seize upon this opportunity to vindicate myself from some of the charges alleged against me. When my spirit shall be wafted to a more friendly port—when my shade shall have joined the bands of those martyred heroes who have shed their blood on the scaffold and in the field, in the defense of their country and of virtue, this is my hope: I wish that my memory and my name may animate those who survive me, while I look down with complacency on the destruction of that perfidious government which upholds its domination by blasphemy of the Most High; which displays its power over man, as over the beasts of the forest; which sets man upon his brother, and lifts his hand, in the name of God, against the throat of his fellow who believes or doubts a little more or a little less than the government standard—a government which is steeled to barbarity by the cries of the orphans and the tears of the widows it has made.

[Here Lord Norbury interrupted, saying that "the mean and wicked enthusiasts who felt as Emmet did, were not equal to the accomplishment of their wild designs."]

I appeal to the immaculate God—I swear by the throne of Heaven, before which I must shortly appear—by the blood of the murdered patriots who have gone before me—that my conduct has been, through all this peril, and through all my purposes, governed only by the conviction which I have uttered, and by no other view than that of the emancipation of my country from the superinhuman oppression under which she has so long and too patiently travailed; and I confidently hope that, wild and chimerical as it may appear, there is still union and strength in Ireland to accomplish this noblest of enterprises. Of this I speak with the confidence of intimate knowledge, and with the consolation that appertains to that confidence. Think not, my lords, I say this for the petty gratification of giving you a transitory uneasiness. A man who never yet raised his voice to assert a lie will not hazard his character with posterity by asserting a falsehood on a subject so important to his country, and on an occasion like this. Yes, my lords, a man who does not wish to have his epitaph written until his country is liberated will not leave a weapon in the power of envy, or a pretense to impeach the probity which he means to preserve, even in the grave to which tyranny consigns him.

[Here he was again interrupted by the court.]

Again I say, that what I have spoken was not intended for your lordship, whose situation I commiserate rather than envy—my expressions were for my countrymen. If there is a true Irishman present, let my last words cheer him in the hour of his affliction.

[Here he was again interrupted. Lord Norbury said he did not sit there to hear treason.]

I have always understood it to be the duty of a judge, when a prisoner has been convicted, to pronounce the sentence of the law. I have also understood that judges sometimes think it their duty to hear with patience and to speak with humanity; to exhort the victim of the laws, and to offer, with tender benignity, their opinions of the motives by which he was actuated in the crime of which he was adjudged guilty. That a judge has thought it his duty so to have done, I have no doubt; but where is the boasted freedom of your institutions—where is the

vaunted impartiality, clemency, and mildness of your courts of justice, if an unfortunate prisoner, whom your policy, and not justice, is about to deliver into the hands of the executioner, is not suffered to explain his motives sincerely and truly, and to vindicate the principles by which he was actuated? My lords, it may be a part of the system of angry justice to bow a man's mind by humiliation to the purposed ignominy of the scaffold; but worse to me than the purposed shame or the scaffold's terrors would be the shame of such foul and unfounded imputations as have been laid against me in this court. You, my lord, are a judge; I am the supposed culprit. I am a man; you are a man also. By a revolution of power we might change places, though we never could change characters. If I stand at the bar of this court and dare not vindicate my character, what a farce is your justice! If I stand at this bar and dare not vindicate my character, how dare you calumniate it? Does the sentence of death, which your unhallowed policy inflicts on my body, condemn my tongue to silence and my reputation to reproach? Your executioner may abridge the period of my existence; but while I exist, I shall not forbear to vindicate my character and motives from your aspersions; and, as a man, to whom fame is dearer than life, I will make the last use of that life in doing justice to that reputation which is to live after me, and which is the only legacy I can leave to those I honor and love, and for whom I am proud to perish. As men, my lords, we must appear on the great day at one common tribunal; and it will then remain for the Searcher of All Hearts to show a collective universe who was engaged in the most virtuous actions, or swayed by the purest motive—my country's oppressors, or—

[Here he was interrupted, and told to listen to the sentence of the law.]

My lords, will a dying man be denied the legal privilege of exculpating himself in the eyes of the community from an undeserved reproach, thrown upon him during his trial, by charging him with ambition, and attempting to cast away for a paltry consideration the liberties of his country? Why did your lordships insult me? Or rather, why insult justice, in demanding of me why sentence of death should not be pronounced against me? I know, my lords, that form prescribes that you should ask the question. The form also presents the right of answering. This, no doubt, may be dispensed with, and so might the whole ceremony of the trial, since sentence was already pronounced at the Castle before the jury were empaneled. Your lordships are but the priests of the oracle, and I insist on the whole of the forms.

I am charged with being an emissary of France. An emissary of France! and for what end? It is alleged that I wish to sell the inde-

pendence of my country; and for what end? Was this the object of my ambition? And is this the mode by which a tribunal of justice reconciles contradiction? No; I am no emissary; and my ambition was to hold a place among the deliverers of my country, not in power nor in profit, but in the glory of the achievement. Sell my country's independence to France! and for what? Was it a change of masters? No, but for ambition. Oh, my country! was it personal ambition that could influence me? Had it been the soul of my actions, could I not, by my education and fortune, by the rank and consideration of my family, have placed myself amongst the proudest of your oppressors? My country was my idol! To it I sacrificed every selfish, every endearing sentiment; and for it I now offer up myself, O God! No, my lords; I acted as an Irishman, determined on delivering my country from the yoke of a foreign and unrelenting tyranny, and the more galling yoke of a domestic faction, which is its joint partner and perpetrator in the patricide, from the ignominy existing with an exterior of splendor and a conscious depravity. It was the wish of my heart to extricate my country from this doubly riveted despotism—I wished to place her independence beyond the reach of any power on earth. I wished to exalt her to that proud station in the world. Connection with France was, indeed, intended, but only as far as mutual interest would sanction or require. Were the French to assume any authority inconsistent with the purest independence, it would be the signal for their destruction. We sought their aid—and we sought it as we had assurance we should obtain it—as auxiliaries in war, and allies in peace. Were the French to come as invaders or enemies, uninvited by the wishes of the people, I should oppose them to the utmost of my strength. Yes! my countrymen, I should advise you to meet them upon the breach with a sword in one hand, and a torch in the other. I would meet them with all the destructive fury of war. I would animate my countrymen to immolate them in their boats, before they had contaminated the soil of my country. If they succeeded in landing, and if forced to retire before superior discipline, I would dispute every inch of ground, burn every blade of grass, and the last entrenchment of liberty should be my grave. What I could not do myself, if I should fall, I should leave as a last charge to my countrymen to accomplish; because I should feel conscious that life, any more than death, is unprofitable when a foreign nation holds my country in subjection. But it was not as an enemy that the succors of France were to land. I looked, indeed, for the assistance of France; but I wished to prove to France and to the world that Irishmen deserved to be assisted; that they were indignant at slavery, and ready to assert the independence and liberty of their country. I wished to procure for my country the guarantee which Washington

procured for America; to procure an aid which, by its example, would be as important as its valor; disciplined, gallant, pregnant with science and experience; that of a people who would perceive the good, and polish the rough points of our character. They would come to us as strangers, and leave us as friends, after sharing in our perils and elevating our destiny. These were my objects: not to receive new taskmasters, but to expel old tyrants. It was for these ends I sought aid from France; because France, even as an enemy, could not be more implacable than the enemy already in the bosom of my country.

[Here he was interrupted by the court.]

I have been charged with that importance in the emancipation of my country as to be considered the keystone of the combination of Irishmen; or as your lordship expressed it, "the life and blood of the conspiracy." You do me honor overmuch: you have given to the subaltern all the credit of a superior. There are men engaged in this conspiracy who are not only superior to me, but even to your own conceptions of yourself, my lord—men before the splendor of whose genius and virtues I should bow with respectful deference, and who would think themselves disgraced by shaking your blood-stained hand.

What, my lord, shall you tell me, on the passage to the scaffold, which that tyranny (of which you are only the intermediary executioner) has erected for my murder, that I am accountable for all the blood that has been and will be shed in this struggle of the oppressed against the oppressor—shall you tell me this, and must I be so very a slave as not to repel it? I do not fear to approach the Omnipotent Judge to answer for the conduct of my whole life; and am I to be appalled and falsified by a mere remnant of mortality here? By you, too, although, if it were possible to collect all the innocent blood that you have shed in your unhallowed ministry in one great reservoir, your lordship might swim in it.

[Here the judge interrupted.]

Let no man dare, when I am dead, to charge me with dishonor; let no man attaint my memory, by believing that I could have engaged in any cause but that of my country's liberty and independence; or that I could have become the pliant minion of power, in the oppression and misery of my country. The proclamation of the provisional government speaks for our views; no inference can be tortured from it to countenance barbarity or debasement at home, or subjection, humiliation, or treachery from abroad. I would not have submitted to a foreign oppressor, for the same reason that I would resist the foreign and domestic oppressor. In the dignity of freedom, I would have fought upon the threshold of my

country, and its enemy should enter only by passing over my lifeless corpse. And am I, who lived but for my country, and who have subjected myself to the dangers of the jealous and watchful oppressor, and the bondage of the grave, only to give my countrymen their rights, and my country her independence,—am I to be loaded with calumny, and not suffered to resent it? No; God forbid!

[Here Lord Norbury told Mr. Emmet that his sentiments and language disgraced his family and his education, but more particularly his father, Doctor Emmet, who was a man, if alive, that would not countenance such opinions. To which Emmet replied:]—

If the spirits of the illustrious dead participate in the concerns and cares of those who were dear to them in this transitory life, Oh, ever dear and venerated shade of my departed father! look down with scrutiny upon the conduct of your suffering son, and see if I have, even for a moment, deviated from those principles of morality and patriotism which it was your care to instil into my youthful mind, and for which I am now about to offer up my life. My lords, you are impatient for the sacrifice. The blood which you seek is not congealed by the artificial terrors which surround your victim—it circulates warmly and unruffled through the channels which God created for noble purposes, but which you are now bent to destroy for purposes so grievous that they cry to heaven. Be yet patient! I have but a few more words to say—I am going to my cold and silent grave—my lamp of life is nearly extinguished—my race is run—the grave opens to receive me, and I sink into its bosom. I have but one request to ask at my departure from this world: it is—the charity of its silence. Let no man write my epitaph; for, as no man who knows my motives dares now vindicate them, let not prejudice or ignorance asperse them. Let them and me rest in obscurity and peace, and my tomb remain uninscribed, and my memory in oblivion, until other times and other men can do justice to my character. When my country takes her place among the nations of the earth, and not till then, let my epitaph be written. I have done.

PART TWO

DELIBERATIVE

CHAPTER II

SPEECHES IN LEGISLATIVE BODIES

§ 7

CONCILIATION WITH AMERICA

By Edmund Burke

(Delivered in the House of Commons, March 22, 1775.)

I hope, sir, that, notwithstanding the austerity of the chair, your good nature will incline you to some degree of indulgence toward human frailty. You will not think it unnatural that those who have an object depending, which strongly engages their hopes and fears, should be somewhat inclined to superstition. As I came into the House full of anxiety about the event of my motion, I found, to my infinite surprise, that the grand penal bill, by which we had passed sentence on the trade and sustenance of America, is to be returned to us from the other House. I do confess, I could not help looking on this event as a fortunate omen. I look upon it as a sort of providential favor, by which we are put once more in possession of our deliberative capacity, upon a business so very questionable in its nature, so very uncertain in its issue. By the return of this bill, which seemed to have taken its flight forever, we are, at this very instant, nearly as free to choose a plan for our American government as we were on the first day of the session. If, sir, we incline to the side of conciliation, we are not at all embarrassed (unless we please to make ourselves so) by any incongruous mixture of coercion and restraint. We are, therefore, called upon, as it were by a superior warning voice, again to attend to America; to attend to the whole of it together, and to review the subject with an unusual degree of care and calmness.

Surely it is an awful subject, or there is none so on this side of the grave. When I first had the honor of a seat in this House, the affairs of that continent pressed themselves upon us as the most important and

Edmund Burke. Born in Dublin, Ireland, January 12, 1729; studied at Trinity College, Dublin, 1743-48; began the study of law in London, 1750; member of Parliament, 1766-1794; died, 1797.

most delicate object of parliamentary attention. My little share in this great deliberation oppressed me. I found myself a partaker in a very high trust; and having no sort of reason to rely on the strength of my natural abilities for the proper execution of that trust, I was obliged to take more than common pains to instruct myself in everything which relates to our colonies. I was not less under the necessity of forming some fixed ideas concerning the general policy of the British empire. Something of this sort seemed to be indispensable, in order, amid so vast a fluctuation of passions and opinions, to concenter my thoughts; to ballast my conduct; to preserve me from being blown about by every wind of fashionable doctrine. I really did not think it safe or manly to have fresh principles to seek upon every fresh mail which should arrive from America.

At that period I had the fortune to find myself in perfect concurrence with a large majority in this House. Bowing under that high authority, and penetrated with the sharpness and strength of that early impression, I have continued ever since in my original sentiments without the least deviation. Whether this be owing to an obstinate perseverance in error, or to a religious adherence to what appears to me truth and reason, it is in your equity to judge.

Sir, Parliament having an enlarged view of objects, made, during this interval, more frequent changes in their sentiment and their conduct than could be justified in a particular person upon the contracted scale of private information. But though I do not hazard anything approaching to a censure on the motives of former Parliaments to all those alterations, one fact is undoubted—that under them the state of America has been kept in continual agitation. Everything administered as remedy to the public complaint, if it did not produce, was at least followed by a heightening of the distemper; until, by a variety of experiments, that important country has been brought into her present situation—a situation which I will not miscall, which I dare not name, which I scarcely know how to comprehend in the terms of any description.

In this posture, sir, things stood at the beginning of the session. About that time, a worthy member of great parliamentary experience, who, in the year 1766, filled the chair of the American committee with much ability, took me aside, and, lamenting the present aspect of our politics, told me things were come to such a pass that our former methods of proceeding in the House would be no longer tolerated. That the public tribunal (never too indulgent to a long and unsuccessful opposition) would now scrutinize our conduct with unusual severity. That the very vicissitudes and shiftings of ministerial measures, instead of convicting their authors of inconstancy and want of system, would be taken as an

occasion of charging us with a predetermined discontent, which nothing could satisfy; while we accused every measure of vigor as cruel, and every proposal of lenity as weak and irresolute. The public, he said, would not have patience to see us play the game out with our adversaries: we must produce our hand. It would be expected that those who, for many years had been active in such affairs, should show that they had formed some clear and decided idea of the principles of colony government, and were capable of drawing out something like a platform of the ground which might be laid for future and permanent tranquillity.

I felt the truth of what my honorable friend represented, but I felt my situation, too. His application might have been made with far greater propriety to many other gentlemen. No man was, indeed, ever better disposed or worse qualified for such an undertaking than myself. Though I gave so far into his opinion that I immediately threw my thoughts into a sort of parliamentary form, I was by no means equally ready to produce them. It generally argues some degree of natural impotence of mind, or some want of knowledge of the world, to hazard plans of government, except from a seat of authority. Propositions are made, not only ineffectually, but somewhat disreputably, when the minds of men are not properly disposed for their reception; and, for my part, I am not ambitious to ridicule—not absolutely a candidate for disgrace.

Besides, sir, to speak the plain truth, I have in general no very exalted opinion of the virtue of paper government, nor of any politics in which the plan is to be wholly separated from the execution. But when I saw that anger and violence prevailed every day more and more, and that things were hastening toward an incurable alienation of our colonies, I confess my caution gave way. I felt this is one of those few moments in which decorum yields to a higher duty. Public calamity is a mighty leveler, and there are occasions when any, even the slightest, chance of doing good, must be laid hold on, even by the most inconsiderable person.

To restore order and repose to an empire so great and so distracted as ours, is merely in the attempt an undertaking that would ennoble the flights of the highest genius, and obtain pardon for the efforts of the meanest understanding. Struggling a good while with these thoughts, by degrees I felt myself more firm. I derived, at length, some confidence from what in other circumstances usually produces timidity. I grew less anxious, even from the idea of my own insignificance. For, judging of what you are by what you ought to be, I persuaded myself that you would not reject a reasonable proposition because it had nothing but its reason to recommend it. On the other hand, being totally destitute of all shadow of influence, natural or adventitious, I was very sure that if

my proposition were futile or dangerous—if it were weakly conceived or improperly timed, there was nothing exterior to it of power to awe, dazzle, or delude you. You will see it just as it is, and you will treat it just as it deserves.

The proposition is peace. Not peace through the medium of war; not peace to be hunted through the labyrinth of intricate and endless negotiations; not peace to arise out of universal discord, fomented from principles, in all parts of the empire; not peace to depend on the juridical determination of perplexing questions, or the precise marking the shadowy boundaries of a complex government. It is simple peace, sought in its natural course and its ordinary haunts. It is peace sought in the spirit of peace, and laid in principles purely pacific. I propose, by removing the ground of the difference, and by restoring the former unsuspecting confidence of the colonies in the mother country, to give permanent satisfaction to your people; and, far from a scheme of ruling by discord, to reconcile them to each other in the same act, and by the bond of the very same interest, which reconciles them to British government.

My idea is nothing more. Refined policy ever has been the parent of confusion, and ever will be so long as the world endures. Plain good intention, which is as easily discovered at the first view as fraud is surely detected at last, is (let me say) of no mean force in the government of mankind. Genuine simplicity of heart is a healing and cementing principle. My plan, therefore, being formed upon the most simple grounds imaginable, may disappoint some people when they hear it. It has nothing to recommend it to the pruriency of curious ears. There is nothing at all new and captivating in it. It has nothing of the splendor of the project which has been lately laid upon your table by the noble lord in the blue ribbon. It does not propose to fill your lobby with squabbling colony agents, who will require the interposition of your mace at every instant to keep the peace among them. It does not institute a magnificent auction of finance, where captivated provinces come to general ransom by bidding against each other, until you knock down the hammer, and determine a proportion of payments beyond all the powers of algebra to equalize and settle.

The plan which I shall resume to suggest derives, however, one great advantage from the proposition and registry of that noble lord's project. The idea of conciliation is admissible. First, the House, in accepting the resolution moved by the noble lord, has admitted, notwithstanding the menacing front of our address, notwithstanding our heavy bill of pains and penalties, that we do not think ourself precluded from all ideas of free grace and bounty.

The House has gone further; it has declared conciliation admissible,

previous to any submission on the part of America. It has even shot a good deal beyond the mark, and has admitted that the complaints of our former mode of exerting the right of taxation were not wholly unfounded. That right, thus exerted, is allowed to have had something reprehensible in it, something unwise, or something grievous; since, in the midst of our heat and resentment, we of ourselves, have proposed a capital alteration, and, in order to get rid of what seemed so very exceptionable, have instituted a mode that is altogether new; one that is, indeed, wholly alien from all the ancient methods and forms of Parliament.

The principle of this proceeding is large enough for my purpose. The means proposed by the noble lord for carrying his ideas into execution, I think, indeed, are very indifferently suited to the end; and this I shall endeavor to show you before I sit down. But, for the present, I take my ground on the admitted principle. I mean to give peace. Peace implies reconciliation; and, where there has been a material dispute, reconciliation does in a manner always imply concession on the one part or on the other. In this state of things I make no difficulty in affirming that the proposal ought to originate from us. Great and acknowledged force is not impaired, either in effect or in opinion, by an unwillingness to exert itself. The superior power may offer peace with honor and with safety. Such an offer from such a power will be attributed to magnanimity. But the concessions of the weak are the concessions of fear. When such a one is disarmed, he is wholly at the mercy of his superior, and he loses forever that time and those chances which, as they happen to all men, are the strength and resources of all inferior power.

The capital leading questions on which you must this day decide, are these two: First, whether you ought to concede; and, secondly, what your concession ought to be.

On the first of these questions we have gained, as I have just taken the liberty of observing to you, some ground. But I am sensible that a good deal more is still to be done. Indeed, sir, to enable us to determine both on the one and the other of these great questions with a firm and precise judgment, I think it may be necessary to consider distinctly—

The true nature and the peculiar circumstances of the object which we have before us; because, after all our struggle, whether we will or not, we must govern America according to that nature and to those circumstances, and not according to our imaginations; not according to abstract ideas of right; by no means according to mere general theories of government, the resort to which appears to me, in our present situa-

tion, no better than arrant trifling. I shall therefore endeavor, with your leave, to lay before you some of the most material of these circumstances in as full and clear a manner as I am able to state them.

(1) The first thing that we have to consider with regard to the nature of the object, is the number of people in the colonies. I have taken for some years a good deal of pains on that point. I can by no calculation justify myself in placing the number below two millions of inhabitants of our own European blood and color, besides at least five hundred thousand others, who form no inconsiderable part of the strength and opulence of the whole. This, sir, is, I believe, about the true number. There is no occasion to exaggerate, where plain truth is of so much weight and importance. But whether I put the present numbers too high or too low, is a matter of little moment. Such is the strength with which population shoots in that part of the world, that, state the numbers as high as we will, while the dispute continues, the exaggeration ends. While we are discussing any given magnitude, they are grown to it. While we spend our time in deliberating on the mode of governing two millions, we shall find we have two millions more to manage. Your children do not grow faster from infancy to manhood than they spread from families to communities, and from villages to nations.

I put this consideration of the present and the growing numbers in the front of our deliberation; because, sir, this consideration will make it evident to a blunter discernment than yours, that no partial, narrow, contracted, pinched, occasional system will be at all suitable to such an object. It will show you that it is not to be considered as one of those *minima* which are out of the eye and consideration of the law; not a paltry excrescence of the state; not a mean dependant, who may be neglected with little damage, and provoked with little danger. It will prove that some degree of care and caution is required in the handling such an object; it will show that you ought not, in reason, to trifle with so large a mass of the interests and feelings of the human race. You could at no time do so without guilt; and, be assured, you will not be able to do it long with impunity.

But the population of this country, the great and growing population, though a very important consideration, will lose much of its weight, if not combined with other circumstances. The commerce of your colonies is out of all proportion beyond the numbers of the people. This ground of their commerce, indeed, has been trod some days ago, and with great ability, by a distinguished person at your bar. This gentleman, after thirty-five years—it is so long since he appeared at the same place to plead for the commerce of Great Britain—has come again be-

fore you to plead the same cause, without any other effect of time than that, to the fire of imagination and extent of erudition which even then marked him as one of the first literary characters of his age, he has added a consummate knowledge in the commercial interests of his country, formed by a long course of enlightened and discriminating experience.

Sir, I should be inexcusable in coming after such a person with any detail, if a great part of the members who now fill the House had not the misfortune to be absent when he appeared at your bar. Besides, sir, I propose to take the matter at periods of time somewhat different from his. There is, if I mistake not, a point of view, from whence, if you will look at this subject, it is impossible that it should not make an impression upon you.

I have in my hand two accounts: one a comparative state of the export trade of England to its colonies as it stood in the year 1704, and as it stood in the year 1772; the other a state of the export trade of this country to its colonies alone, as it stood in 1772, compared with the whole trade of England to all parts of the world, the colonies included, in the year 1704. They are from good vouchers; the latter period from the accounts on your table, the earlier from an original manuscript of Davenant, who first established the inspector-general's office, which has been ever since his time so abundant a source of parliamentary information.

The export trade to the colonies consists of three great branches: the African, which, terminating almost wholly in the colonies, must be put to the account of their commerce; the West Indian, and the North American. All these are so interwoven, that the attempt to separate them would tear to pieces the contexture of the whole, and, if not entirely destroy, would very much depreciate the value of all the parts. I therefore consider these three denominations to be, what in effect they are, one trade.

The trade to the colonies, taken on the export side, at the beginning of this century, that is, in the year 1704, stood thus:

Exports to North America and the West Indies . . .	£483,265
To Africa	86,665
	£569,930

In the year 1772, which I take as a middle year between the highest and lowest of those lately laid on your table, the account was as follows:

To North America and the West Indies	£4,791,734
To Africa	866,398
To which, if you add the export trade from Scotland, which had in 1704 no existence	364,000
	£6,022,132

From five hundred and odd thousand it has grown to six millions. It has increased no less than twelvefold. This is the state of the colony trade, as compared with itself at these two periods, within this century; and this is matter for meditation. But this is not all. Examine my second account. See how the export trade to the colonies alone in 1772 stood in the other point of view; that is, as compared to the whole trade of England in 1704.

The whole export trade of England, including that to the colonies, in 1704	£6,509,000
Exported to the colonies alone, in 1772	6,024,000
Difference	£485,000

The trade with America alone is now within less than £500,000 of being equal to what this great commercial nation, England, carried on at the beginning of this century with the whole world! If I had taken the largest year of those on your table, it would rather have exceeded. But, it will be said, is not this American trade an unnatural protuberance, that has drawn the juices from the rest of the body? The reverse. It is the very food that has nourished every other part into its present magnitude. Our general trade has been greatly augmented, and augmented more or less in almost every part to which it ever extended, but with this material difference, that of the six millions which in the beginning of the century constituted the whole mass of our export commerce, the colony trade was but one-twelfth part; it is now (as a part of sixteen millions) considerably more than a third of the whole. This is the relative proportion of the importance of the colonies of these two periods; and all reasoning concerning our mode of treating them must have this proportion as its basis, or it is a reasoning weak, rotten, and sophisticated.

Mr. Speaker, I cannot prevail on myself to hurry over this great consideration. It is good for us to be here. We stand where we have an immense view of what is, and what is past. Clouds, indeed, and darkness, rest upon the future. Let us, however, before we descend from this noble eminence, reflect that this growth of our national pros-

perity has happened within the short period of the life of man. It has happened within sixty-eight years. There are those alive whose memory might touch the two extremities. For instance, my Lord Bathurst might remember all the stages of the progress. He was in 1704 of an age at least to be made to comprehend such things. He was then old enough *"acta parentum jam legere et quæ sit poterit cognoscere virtus."* Suppose, sir, that the angel of this auspicious youth, foreseeing the many virtues which made him one of the most amiable, as he is one of the most fortunate men of his age, had opened to him in vision, that when, in the fourth generation, the third prince of the House of Brunswick had sat twelve years on the throne of that nation, which, by the happy issue of moderate and healing councils, was to be made Great Britain, he should see his son, Lord Chancellor of England, turn back the current of hereditary dignity to its fountain, and raise him to a righer rank of peerage, while he enriched the family with a new one. If, amid these bright and happy scenes of domestic honor and prosperity, that angel should have drawn up the curtain, and unfolded the rising glories of his country, and while he was gazing with admiration on the then commercial grandeur of England, the genius should point out to him a little speck, scarce visible in the mass of the national interest, a small seminal principle rather than a formed body, and should tell him: "Young man, there is America—which at this day serves for little more than to amuse you with stories of savage men and uncouth manners; yet shall, before you taste death, show itself equal to the whole of that commerce which now attracts the envy of the world. Whatever England has been growing to by a progressive increase of improvement, brought in by varieties of people, by succession of civilizing conquests and civilizing settlements in a series of seventeen hundred years, you shall see as much added to her by America in the course of a single life!" If this state of his country had been foretold to him, would it not require all the sanguine credulity of youth, and all the fervid glow of enthusiasm, to make him believe it? Fortunate man, he has lived to see it! Fortunate, indeed, if he lived to see nothing to vary the prospect and cloud the setting of his day!

Excuse me, sir, if, turning from such thoughts, I resume this comparative view once more. You have seen it on a large scale; look at it on a small one. I will point out to your attention a particular instance of it in the single province of Pennsylvania. In the year 1704 that province called for £11,459 in value of your commodities, native and foreign. This was the whole. What did it demand in 1772? Why, nearly fifty times as much; for in that year the export to Pennsylvania

was £507,909, nearly equal to the export to all the colonies together in the first period.

I choose, sir, to enter into these minute and particular details, because generalities, which, in all other cases are apt to heighten and raise the subject, have here a tendency to sink it. When we speak of the commerce with our colonies, fiction lags after truth; invention is unfruitful, and imagination cold and barren.

So far, sir, as to the importance of the object in the view of its commerce, as concerned in the exports from England. If I were to detail the imports, I could show how many enjoyments they procure which deceive the burden of life; how many materials which invigorate the springs of national industry, and extend and animate every part of our foreign and domestic commerce. This would be a curious subject indeed; but I must prescribe bounds to myself in a matter so vast and various.

(2) I pass, therefore, to the colonies in another point of view—their agriculture. This they have prosecuted with such a spirit, that, besides feeding plentifully their own growing multitude, their annual export of grain, comprehending rice, has, some years ago, exceeded a million in value. Of their last harvest I am persuaded they will export much more. At the beginning of the century, some of these colonies imported corn from the mother country. For some time past the old world has been fed from the new. The scarcity which you have felt would have been a desolating famine, if this child of your old age, with a true filial piety, with a Roman charity, had not put the full breast of its youthful exuberance to the mouth of its exhausted parent.

As to the wealth which the colonies have drawn from the sea by their fisheries, you had all that matter fully opened at your bar. You surely thought those acquisitions of value, for they seemed even to excite your envy; and yet, the spirit by which that enterprising employment has been exercised ought rather, in my opinion, to have raised your esteem and admiration. And pray, sir, what in the world is equal to it? Pass by the other parts, and look at the manner in which the people of New England have of late carried on the whale fishery. While we follow them among the tumbling mountains of ice, and behold them penetrating into the deepest frozen recesses of Hudson's Bay and Davis' Straits—while we are looking for them beneath the arctic circle, we hear that they have pierced into the opposite region of polar cold—that they are at the antipodes, and engaged under the frozen Serpent of the south. Falkland Island, which seemed too remote and romantic an object for the grasp of national ambition, is but a stage and resting-place in the progress of their victorious industry. Nor is the equinoctial

heat more discouraging to them than the accumulated winter of both the poles. We know that while some of them draw the line, and strike the harpoon on the coast of Africa, others run the longitude, and pursue their gigantic game along the coast of Brazil. No sea but what is vexed by their fisheries. No climate that is not witness to their toils. Neither the perseverance of Holland, nor the activity of France, nor the dexterous and firm sagacity of English enterprise, ever carried this most perilous mode of hardy industry to the extent to which it has been pushed by this recent people—a people who are still, as it were, but in the gristle, and not yet hardened into the bone of manhood. When I contemplate these things—when I know that the colonies in general owe little or nothing to any care of ours, and that they are not squeezed into this happy form by the constraints of watchful and suspicious government, but that, through a wise and salutary neglect, a generous nature has been suffered to take her own way to perfection—when I reflect upon these effects—when I see how profitable they have been to us, I feel all the pride of power sink, and all presumption in the wisdom of human contrivances melt and die away within me. My rigor relents. I pardon something to the spirit of liberty.

I am sensible, sir, that all which I have asserted in my detail is admitted in the gross; but that quite a different conclusion is drawn from it. America, gentlemen say, is a noble object. It is an object well worth fighting for. Certainly it is, if fighting a people be the best way of gaining them. Gentlemen in this respect will be led to their choice of means by their complexions and their habits. Those who understand the military art will, of course, have some predilection for it. Those who wield the thunder of the State may have more confidence in the efficacy of arms. But I confess, possibly for want of this knowledge, my opinion is much more in favor of prudent management than of force; considering force not as an odious, but a feeble, instrument for preserving a people so numerous, so active, so growing, so spirited as this, in a profitable and subordinate connection with us.

First, sir, permit me to observe that the use of force alone is but temporary. It may subdue for a moment, but it does not remove the necessity of subduing again; and a nation is not governed which is perpetually to be conquered.

My next objection is its uncertainty. Terror is not always the effect of force; and an armament is not a victory. If you do not succeed you are without resource, for, conciliation failing, force remains; but, force failing, no further hope of reconciliation is left. Power and authority are sometimes bought by kindness, but they can never be begged as alms by an impoverished and defeated violence.

A further objection to force is, that you *impair the object* by your very endeavors to preserve it. The thing you fought for is not the thing which you recover; but depreciated, sunk, wasted, and consumed in the contest. Nothing less will content me than *whole* America. I do not choose to consume its strength alone with our own, because in all parts it is the British strength that I consume. I do not choose to be caught by a foreign enemy at the end of this exhausting conflict, and still less in the midst of it. I may escape; but I can make no insurance against such an event. Let me add, that I do not choose wholly to break the American spirit, because it is the spirit that has made the country.

Lastly, we have no sort of *experience* in favor of force as an instrument in the rule of our colonies. Their growth and their utility have been owing to methods altogether different. Our ancient indulgence has been said to be pursued to a fault. It may be so; but we know, if feeling is evidence, that our fault was more tolerable than our attempt to mend it; and our sin far more salutary than our penitence.

These, sir, are my reasons for not entertaining that high opinion of untried force, by which many gentlemen, for whose sentiments in other particulars I have great respect, seem to be so greatly captivated.

But there is still behind a third consideration concerning this object, which serves to determine my opinion on the sort of policy which ought to be pursued in the management of America, even more than its population and its commerce—I mean its temper and character. In this character of the Americans a love of freedom is the predominating feature which marks and distinguishes the whole; and, as an ardent is always a jealous affection, your colonies become suspicious, restive, and intractable, whenever they see the least attempt to wrest from them by force, or shuffle from them by chicane, what they think the only advantage worth living for. This fierce spirit of liberty is stronger in the English colonies, probably, than in any other people of the earth, and this from a variety of powerful causes, which, to understand the true temper of their minds, and the direction which this spirit takes, it will not be amiss to lay open somewhat more largely.

First, the people of the colonies are descendants of Englishmen. England, sir, is a nation which still, I hope, respects, and formerly adored her freedom. The colonists emigrated from you when this part of your character was most predominant; and they took this bias and direction the moment they parted from your hands. They are, therefore, not only devoted to liberty, but to liberty according to English ideas and on English principles. Abstract liberty, like other mere abstractions, is not to be found. Liberty inheres in some sensible object; and every nation has formed to itself some favorite point which, by way

of eminence, becomes the criterion of their happiness. It happened, you know, sir, that the great contests for freedom in this country were from the earliest times chiefly upon the question of taxing. Most of the contests in the ancient commonwealths turned primarily on the right of election of magistrates, or on the balance among the several orders of the State. The question of money was not with them so immediate. But in England it was otherwise. On this point of taxes the ablest pens and most eloquent tongues have been exercised; the greatest spirits have acted and suffered. In order to give the fullest satisfaction concerning the importance of this point, it was not only necessary for those who in argument defended the excellence of the English Constitution, to insist on this privilege of granting money as a dry point of fact, and to prove that the right had been acknowledged in ancient parchments and blind usages to reside in a certain body called the House of Commons. They went much further: they attempted to prove (and they succeeded) that in theory it ought to be so, from the particular nature of a House of Commons, as an immediate representative of the people, whether the old records had delivered this oracle or not. They took definite pains to inculcate, as a fundamental principle, that, in all monarchies, the people must, in effect, themselves, mediately or immediately, possess the power of granting their own money, or no shadow of liberty could subsist. The colonies draw from you, as with their life-blood, those ideas and principles. Their love of liberty, as with you, fixed and attached on this specific point of taxing. Liberty might be safe or might be endangered in twenty other particulars, without their being much pleased or alarmed. Here they felt its pulse; and, as they found that beat, they thought themselves sick or sound. I do not say whether they were right or wrong in applying your general arguments to their own case. It is not easy, indeed, to make a monopoly of theorems and corollaries. The fact is, that they did thus apply those general arguments; and your mode of governing them, whether through lenity or indolence, through wisdom or mistake, confirmed them in the imagination that they, as well as you, had an interest in these common principles.

They were further confirmed in these pleasing errors by the form of their provincial legislative assemblies. Their governments are popular in a high degree; some are merely popular; in all, the popular representative is the most weighty; and this share of the people in their ordinary government never fails to inspire them with lofty sentiments, and with a strong aversion from whatever tends to deprive them of their chief importance.

If anything were wanting to this necessary operation of the form

of government, religion would have given it a complete effect. Religion, always a principle of energy, in this new people is no way wornout or impaired; and their mode of professing it is also one main cause of this free spirit. The people are Protestants; and of that kind which is the most averse to all implicit submission of mind and opinion. This is a persuasion not only favorable to liberty, but built upon it. I do not think, sir, that the reason of this averseness in the dissenting churches from all that looks like absolute government, is so much to be sought in their religious tenets as in their history. Everyone knows that the Roman Catholic religion is at least coeval with most of the governments where it prevails; that it has generally gone hand in hand with them; and received great favor and every kind of support from authority. The Church of England, too, was formed from her cradle under the nursing care of regular government. But the dissenting interests have sprung up in direct opposition to all the ordinary powers of the world, and could justify that opposition only on a strong claim to natural liberty. Their very existence depended on the powerful and unremitted assertion of that claim. All Protestantism, even the most cold and passive, is a kind of dissent. But the religion most prevalent in our northern colonies is a refinement on the principle of resistance; it is the dissidence of dissent; and the Protestantism of the Protestant religion. This religion, under a variety of denominations, agreeing in nothing but the communion of the spirit of liberty, is predominant in most of the northern provinces; where the Church of England, notwithstanding its legal rights, is in reality no more than a sort of private sect, not composing, most probably, the tenth of the people. The colonists left England when this spirit was high, and in the emigrants was the highest of all; and even that stream of foreigners, which has been constantly flowing into these colonies, has, for the greater part, been composed of dissenters from the establishments of their several countries, and have brought with them a temper and character far from alien to that of the people with whom they mixed.

Sir, I can perceive by their manner that some gentlemen object to the latitude of this description, because in the southern colonies the Church of England forms a large body, and has a regular establishment. It is certainly true. There is, however, a circumstance attending these colonies, which, in my opinion, fully counterbalances this difference, and makes the spirit of liberty still more high and haughty than in those to the northward. It is that in Virginia and the Carolinas they have a vast multitude of slaves. Where this is the case in any part of the world, those who are free are by far the most proud and jealous of their freedom. Freedom is to them not only an enjoyment, but a kind

of rank and privilege. Not seeing there that freedom, as in countries where it is a common blessing, and as broad and general as the air, may be united with much abject toil, with great misery, with all the exterior of servitude, liberty looks, among them, like something that is more noble and liberal. I do not mean, sir, to commend the superior morality of this sentiment, which has at least as much pride as virtue in it; but I cannot alter the nature of man. The fact is so; and these people of the southern colonies are much more strongly, and with a higher and more stubborn spirit, attached to liberty than those to the northward. Such were all the ancient commonwealth; such were our Gothic ancestors; such, in our days, were the Poles, and such will be all masters of slaves, who are not slaves themselves. In such a people the haughtiness of domination combines with the spirit of freedom, fortifies it, and renders it invincible.

Permit me, sir, to add another circumstance in our colonies, which contributes no mean part toward the growth and effect of this intractable spirit—I mean their *education*. In no country perhaps in the world is the law so general a study. The profession itself is numerous and powerful; and in most provinces it takes the lead. The greater number of the deputies sent to Congress were lawyers. But all who read, and most do read, endeavor to obtain some smattering in that science. I have been told by an eminent bookseller that in no branch of his business, after tracts of popular devotion, were so many books as those on the law exported to the Plantations. The colonists have now fallen into the way of printing them for their own use. I hear that they have sold nearly as many of Blackstone's Commentaries in America as in England. General Gage marks out this disposition very particularly in a letter on your table. He states that all the people in his government are lawyers, or smatterers in law; and that in Boston they have been enabled, by successful chicane, wholly to evade many parts of one of your capital penal constitutions. The smartness of debate will say that this knowledge ought to teach them more clearly the rights of legislature, their obligations to obedience, and the penalties of rebellion. All this is mighty well. But my honorable and learned friend [the attorney-general, afterward Lord Thurlow] on the floor, who condescends to mark what I say for animadversion, will disdain that ground. He has heard, as well as I, that when great honors and great emoluments do not win over this knowledge to the service of the state, it is a formidable adversary to government. If the spirit be not tamed and broken by these happy methods, it is stubborn and litigious. *Abeunt studia in mores.* This study renders men acute, inquisitive, dexterous, prompt in attack, ready in defense, full of resources. In other countries the people, more simple

and of less mercurial cast, judge of an ill principle in government only by an actual grievance. Here they anticipate the evil, and judge of the pressure of the grievance by the badness of the principle. They augur misgovernment at a distance; and snuff the approach of tyranny in every tainted breeze.

The last cause of this disobedient spirit in the colonies is hardly less powerful than the rest, as it is not merely moral, but laid deep in the natural constitution of things. Three thousand miles of ocean lie between you and them. No contrivance can prevent the effect of this distance in weakening government. Seas roll and months pass between the order and the execution; and the want of a speedy explanation of a single point is enough to defeat the whole system. You have, indeed, "winged ministers" of vengeance, who carry your bolts in their pouches to the remotest verge of the sea. But there a power steps in that limits the arrogance of raging passion and furious elements, and says: "So far shalt thou go, and no farther." Who are you that should fret and rage, and bite the chains of nature? Nothing worse happens to you than does to all nations who have extensive empire; and it happens in all the forms into which empire can be thrown. In large bodies the circulation of power must be less vigorous at the extremities. Nature has said it. The Turk cannot govern Egypt, and Arabia, and Kurdistan as he governs Thrace; nor has he the same dominion in Crimea and Algiers which he has at Broosa and Smyrna. Despotism itself is obliged to truck and huckster. The sultan gets such obedience as he can. He governs with a loose rein that he may govern at all; and the whole of the force and vigor of his authority in his center is derived from a prudent relaxation in all his borders. Spain, in her provinces, is, perhaps, not so well obeyed as you are in yours. She complies, too; she submits; she watches times. This is the immutable condition, the eternal law, of extensive and detached empire.

Then, sir, from these six capital sources of descent, of form of government, of religion in the northern provinces, of manners in the southern, of education, of the remoteness of situation from the first mover of government—from all these causes a fierce spirit of liberty has grown up. It has grown with the growth of the people in your colonies, and increased with the increase of their wealth; in spirit that, unhappily meeting with an exercise of power in England, which, however lawful, is not reconcilable to any ideas of liberty, much less with theirs, has kindled this flame that is ready to consume us.

I do not mean to commend either the spirit in this excess, or the moral causes which produce it. Perhaps a more smooth and accommodating spirit of freedom in them would be more acceptable to us. Perhaps

ideas of liberty might be desired, more reconcilable with an arbitrary and boundless authority. Perhaps we might wish the colonists to be persuaded that their liberty is more secure when held in trust for them by us, as guardians during a perpetual minority, than with any part of it in their own hands. But the question is not whether this spirit deserves praise or blame. What, in the name of God, shall we do with it? You have before you the object, such as it is, with all its glories, with all its imperfections on its head. You see the magnitude, the importance, the temper, the habits, the disorders. By all these considerations we are strongly urged to determine something concerning it. We are called upon to fix some rule and line for our future conduct which may give a little stability to our politics, and prevent the return of such unhappy deliberations as the present. Every such return will bring the matter before us in a still more intractable form. For, what astonishing and incredible things have we not seen already? What monsters have not been generated from this unnatural contention? While every principle of authority and resistance has been pushed upon both sides, as far as it would go, there is nothing so solid and certain, either in reasoning or in practice, that it has not been shaken. Until very lately, all authority in America seemed to be nothing but an emanation from yours. Even the popular part of the colony constitution derived all its activity, and its first vital movement, from the pleasure of the crown. We thought, sir, that the utmost which the discontented colonists could do, was to disturb authority. We never dreamed they could of themselves apply it, knowing in general what an operose business it is to establish a government absolutely new. But having, for our purposes in this contention, resolved that none but an obedient assembly should sit, the humors of the people there, finding all passage through the legal channel stopped, with great violence broke out another way. Some provinces have tried their experiment, as we have tried ours; and theirs has succeeded. They have formed a government sufficient for its purposes, without the bustle of a revolution, or the troublesome formality of an election. Evident necessity and tacit consent have done the business in an instant. So well they have done it that Lord Dunmore (the account is among the fragments on your table) tells you that the new institution is infinitely better obeyed than the ancient government ever was in its most fortunate periods. Obedience is what makes government, and not the names by which it is called; not the name of governor, as formerly, or committee, as at present. This new government has originated directly from the people, and was not transmitted through any of the ordinary artificial media of a positive constitution. It was not a manufacture ready formed, and transmitted to them in

that condition from England. The evil arising from hence is this: that the colonists having once found the possibility of enjoying the advantages of order in the midst of a struggle for liberty, such struggles will not henceforward seem so terrible to the settled and sober part of mankind as they had appeared before the trial.

Pursuing the same plan of punishing by the denial of the exercise of government to still greater lengths, we wholly abrogated the ancient government of Massachusetts. We were confident that the first feeling, if not the very prospect of anarchy, would instantly enforce a complete submission. The experiment was tried. A new, strange, unexpected face of things appeared. Anarchy is found tolerable. A vast province has now subsisted, and subsisted in a considerable degree of health and vigor for near a twelvemonth, without governor, without public council, without judges, without executive magistrates. How long it will continue in this state, or what may arise out of this unheard-of situation, how can the wisest of us conjecture? Our late experience has taught us that many of those fundamental principles, formerly believed infallible, are either not of the importance they were imagined to be, or that we have not at all adverted to some other far more important and far more powerful principles, which entirely overrule those we had considered as omnipotent. I am much against any further experiments, which tend to put to the proof any more of these allowed opinions, which contribute so much to the public tranquillity. In effect, we suffer as much at home by this loosening of all ties, and this concussion of all established opinions, as we do abroad. For, in order to prove that the Americans have no right to their liberties, we are every day endeavoring to subvert the maxims which preserve the whole spirit of our own. To prove that the Americans ought not to be free, we are obliged to depreciate the value of freedom itself; and we never seem to gain a paltry advantage over them in debate, without attacking some of those principles, or deriding some of those feelings, for which our ancestors have shed their blood.

But, sir, in wishing to put an end to pernicious experiments, I do not mean to preclude the fullest inquiry. Far from it. Far from deciding on a sudden or partial view, I would patiently go round and round the subject, and survey it minutely in every possible aspect. Sir, if I were capable of engaging you to an equal attention, I would state that, as far as I am capable of discerning, there are but three ways of proceeding relative to this stubborn spirit which prevails in your colonies and disturbs your government. These are, to change that spirit, as inconvenient, by removing the causes; to prosecute it as criminal; or to comply with it as necessary. I would not be guilty of an imperfect

enumeration. I can think of but these three. Another has, indeed, been started—that of giving up the colonies; but it met so slight a reception that I do not think myself obliged to dwell a great while upon it. It is nothing but a little sally of anger, like the frowardness of peevish children, who, when they cannot get all they would have, are resolved to take nothing.

The first of these plans, to change the spirit, as inconvenient, by removing the causes, I think is the most like a systematic proceeding. It is radical in its principle, but it is attended with great difficulties, some of them little short, as I conceive, of impossibilities. This will appear by examining into the plans which have been proposed.

As the growing population of the colonies is evidently one cause of their resistance, it was last session mentioned in both Houses by men of weight, and received, not without applause, that, in order to check this evil, it would be proper for the Crown to make no further grants of land. But to this scheme there are two objections. The first, that there is already so much unsettled land in private hands as to afford room for an immense future population, although the Crown not only withheld its grants, but annihilated its soil. If this be the case, then the only effect of this avarice of desolation, this hoarding of a royal wilderness, would be to raise the value of the possessions in the hands of the great private monopolists without any adequate check to the growing and alarming mischief of population.

But if you stopped your grants, what would be the consequence? The people would occupy without grants. They have already so occupied in many places. You cannot station garrisons in every part of these deserts. If you drive the people from one place they will carry on their annual tillage, and remove with their flocks and herds to another. Many of the people in the back settlements are already little attached to particular situations. Already they have topped the Appalachian mountains. From thence they behold before them an immense plain, one vast, rich, level meadow—a square five hundred miles. Over this they would wander without a possibility of restraint. They would change their manners with the habits of their life; would soon forget a government by which they were disowned; would become hordes of English Tartars; and, pouring down upon your unfortified frontiers a fierce and irresistible cavalry, become masters of your governors and your counselors, your collectors and controllers, and of all the slaves that adhered to them. Such would, and, in no long time, must be the effect of attempting to forbid as a crime, and to suppress as an evil, the command and blessing of Providence, "Increase and multiply." Such would be the happy result of an endeavor to keep as a lair of wild beasts that earth

which God by an express charter has given to the children of men. Far different, and surely much wiser, has been our policy hitherto. Hitherto we have invited our people, by every kind of bounty, to fixed establishments. We have invited the husbandman to look to authority for his title. We have taught him piously to believe in the mysterious virtue of wax and parchment. We have thrown each tract of land, as it was peopled, into districts, that the ruling power should never be wholly out of sight. We have settled all we could, and we have carefully attended every settlement with government.

Adhering, sir, as I do, to this policy, as well as for the reasons I have just given, I think this new project of hedging in population to be neither prudent nor practicable.

To impoverish the colonies in general, and in particular to arrest the noble course of their marine enterprises, would be a more easy task. I freely confess it. We have shown a disposition to a system of this kind; a disposition even to continue the restraint after the offense, looking on ourselves as rivals to our colonies, and persuaded that, of course, we must gain all that they shall lose. Much mischief we may certainly do. The power inadequate to all other things is often more than sufficient for this. I do not look on the direct and immediate power of the colonies to resist our violence as very formidable. In this, however, I may be mistaken. But when I consider that we have colonies for no purpose but to be serviceable to us, it seems to my poor understanding a little preposterous to make them unserviceable in order to keep them obedient. It is, in truth, nothing more than the old, and, as I thought, exploded problem of tyranny, which proposes to beggar its subject into submission. But, remember, when you have completed your system of impoverishment, that nature still proceeds in her ordinary course; that discontent will increase with misery; and that there are critical moments in the fortunes of all states when they who are too weak to contribute to your prosperity may be strong enough to complete your ruin. *Spoliatis arma supersunt.*

The temper and character which prevail in our colonies are, I am afraid, unalterable by any human art. We cannot, I fear, falsify the pedigree of this fierce people, and persuade them that they are not sprung from a nation in whose veins the blood of freedom circulates. The language in which they would hear you tell them this tale would detect the imposition. Your speech would betray you. An Englishman is the unfittest person on earth to argue another Englishman into slavery.

I think it is nearly as little in our power to change their republican religion as their free descent; or to substitute the Roman Catholic as a penalty, or the Church of England as an improvement. The mode

of inquisition and dragooning is going out of fashion in the old world, and I should not confide much to their efficacy in the new. The education of the Americans is also on the same unalterable bottom with their religion. You cannot persuade them to burn their books of curious science; to banish their lawyers from their courts of law; or to quench the lights of their assemblies by refusing to choose those persons who are best read in their privileges. It would be no less impracticable to think of wholly annihilating the popular assemblies in which these lawyers sit. The army, by which we must govern in their place, would be far more chargeable to us; not quite so effectual; and, perhaps, in the end, full as difficult to be kept in obedience.

With regard to the high aristocratic spirit of Virginia and the southern colonies, it has been proposed, I know, to reduce it, by declaring a general enfranchisement of their slaves. This project has had its advocates and panegyrists, yet I never could argue myself into an opinion of it. Slaves are often much attached to their masters. A general wild offer of liberty would not always be accepted. History furnishes few instances of it. It is sometimes as hard to persuade slaves to be free as it is to compel freemen to be slaves; and in this auspicious scheme we should have both these pleasing tasks on our hands at once. But when we talk of enfranchisement, do we not perceive that the American master may enfranchise, too, and arm servile hands in defense of freedom? A measure to which other people have had recourse more than once, and not without success, in a desperate situation of their affairs.

Slaves, as these unfortunate black people are, and dull as all men are from slavery, must they not a little suspect the offer of freedom from that very nation which has sold them to their present masters? From that nation, one of whose causes of quarrel with those masters is their refusal to deal any more in that inhuman traffic? An offer of freedom from England would come rather oddly, shipped to them in an African vessel, which is refused an entry into the ports of Virginia or Carolina, with a cargo of three hundred Angola negroes. It would be curious to see the Guinea captain attempt at the same instant to publish his proclamation of liberty and to advertise the sale of slaves.

But let us suppose all these moral difficulties got over. The ocean remains. You cannot pump this dry; and as long as it continues in its present bed, so long all the causes which weaken authority by distance will continue.

> "Ye Gods! annihilate but space and time,
> And make two lovers happy!"

was a pious and passionate prayer, but just as reasonable as many of these serious wishes of very grave and solemn politicians.

If, then, sir, it seems almost desperate to think of any alternative course for changing the moral causes (and not quite easy to remove the natural) which produce the prejudices irreconcilable to the late exercise of our authority, but that the spirit infallibly will continue, and, continuing, will produce such effects as now embarrass us, the second mode under consideration is to prosecute that spirit in its overt acts as criminal.

At this proposition I must pause a moment. The thing seems a great deal too big for my ideas of jurisprudence. It would seem, to my way of conceiving such matters, that there is a very wide difference in reason and policy between the mode of proceeding on the irregular conduct of scattered individuals, or even the bands of men, who disturb order within the state, and the civil dissensions which may, from time to time, on great questions, agitate the several communities which compose a great empire. It looks to me to be narrow and pedantic to apply the ordinary ideas of criminal justice to this great public contest. I do not know the method of drawing up an indictment against a whole people. I cannot insult and ridicule the feelings of millions of my fellow-creatures, as Sir Edward Coke insulted one excellent individual at the bar. I am not ripe to pass sentence on the gravest public bodies, intrusted with magistracies of great authority and dignity, and charged with the safety of their fellow-citizens, upon the very same title that I am. I really think that, for wise men, this is not judicious; for sober men, not decent; for minds tinctured with humanity, not mild and merciful.

Perhaps, sir, I am mistaken in my idea of an empire, as distinguished from a single state or kingdom. But my idea of it is this: that an empire is the aggregate of many states, under one common head, whether this head be a monarch or a presiding republic. It does, in such constitutions, frequently happen (and nothing but the dismal, cold, dead uniformity of servitude can prevent its happening) that the subordinate parts have many local privileges and immunities. Between these privileges and the supreme common authority, the line may be extremely nice. Of course, disputes—often, too, very bitter disputes—and much ill blood, will arise. But, though every privilege is an exemption in the case, from the ordinary exercise of the supreme authority, it is no denial of it. The claim of a privilege seems rather, *ex vi termini,* to imply a superior power; for to talk of the privileges of a state or of a person who has no superior, is hardly any better than speaking nonsense. Now, in such unfortunate quarrels among the component parts of a great

political union of communities, I can scarcely conceive anything more completely imprudent than for the head of the empire to insist that, if any privilege is pleaded against his will or his acts, that his whole authority is denied; instantly to proclaim rebellion, to beat to arms, and to put the offending provinces under the ban. Will not this, sir, very soon teach the provinces to make no distinctions on their part? Will it not teach them that the government against which a claim of liberty is tantamount to high treason, is a government to which submission is equivalent to slavery? It may not always be quite convenient to impress dependent communities with such an idea.

We are, indeed, in all disputes with the colonies, by the necessity of things, the judge. It is true, sir; but I confess that the character of judge in my own cause is a thing that frightens me. Instead of filling me with pride, I am exceedingly humbled by it. I cannot proceed with a stern, assured, judicial confidence, until I find myself in something more like a judicial character. I must have these hesitations as long as I am compelled to recollect that, in my little reading upon such contests as these, the sense of mankind has at least as often decided against the superior as the subordinate power. Sir, let me add, too, that the opinion of my having some abstract right in my favor would not put me much at my ease in passing sentence, unless I could be sure that there were no rights which, in their exercise under certain circumstances, were not the most odious of all wrongs, and the most vexatious of all injustice. Sir, these considerations have great weight with me, when I find things so circumstanced that I see the same party at once a civil litigant against me in point of right and a culprit before me; while I sit as criminal judge on acts of his whose moral quality is to be decided on upon the merits of that very litigation. Men are every now and then put, by the complexity of human affairs, into strange situations; but justice is the same, let the judge be in what situation he will.

There is, sir, also a circumstance which convinces me that this mode of criminal proceeding is not, at least in the present stage of our contest, altogether expedient, which is nothing less than the conduct of those very persons who have seemed to adopt that mode, by lately declaring a rebellion in Massachusetts Bay, as they had formerly addressed to have traitors brought hither, under an act of Henry the Eighth, for trial. For, though rebellion is declared, it is not proceeded against as such; nor have any steps been taken toward the apprehension or conviction of any individual offender, either on our late or our former address; but modes of *public* coercion have been adopted, and such as have much more resemblance to a sort of qualified hostility toward an independent power than the punishment of rebellious subjects. All this seems rather in-

consistent; but it shows how difficult it is to apply these juridical ideas to our present case.

In this situation, let us seriously and coolly ponder. What is it we have got by all our menaces, which have been many and ferocious? What advantage have we derived from the penals laws we have passed, and which, for the time, have been severe and numerous? What advances have we made toward our object by the sending of a force which, by land and sea, is no contemptible strength? Has the disorder abated? Nothing less. When I see things in this situation, after such confident hopes, bold promises, and active exertions, I cannot, for my life, avoid a suspicion that the plan itself is not correctly right.

If, then, the removal of the causes of this spirit of American liberty be, for the greater part, or rather entirely, impracticable; if the ideas of criminal process be inapplicable, or, if applicable, are in the highest degree inexpedient, what way yet remains? No way is open but the third and last—to comply with the American spirit as necessary, or, if you please, to submit to it as a necessary evil.

If we adopt this mode, if we mean to conciliate and concede, let us see of what nature the concessions ought to be. To ascertain the nature of our concessions, we must look at their complaint. The colonies complain that they have not the characteristic mark and seal of British freedom. They complain that they are taxed in Parliament in which they are not represented. If you mean to satisfy them at all, you must satisfy them with regard to this complaint. If you mean to please any people, you must give them the boon which they ask; not what you think better for them, but of a kind totally different. Such an act may be a wise regulation, but it is no concession, whereas our present theme is the mode of giving satisfaction.

Sir, I think you must perceive that I am resolved this day to have nothing at all to do with the question of the right of taxation. Some gentlemen startle, but it is true. I put it totally out of the question. It is less than nothing in my consideration. I do not, indeed, wonder, nor will you, sir, that gentlemen of profound learning are fond of displaying it on this profound subject. But my consideration is narrow, confined, and wholly limited to the policy of the question. I do not examine whether the giving away a man's money be a power expected and reserved out of the general trust of government, and how far all mankind, in all forms of polity, are entitled to an exercise of that right by the charter of nature; or whether, on the contrary, a right of taxation is necessarily involved in the general principle of legislation, and inseparable from the ordinary supreme power. These are deep questions, where great names militate against each other; where reason is

perplexed; and an appeal to authorities only thickens the confusion; for high and reverend authorities lift up their heads on both sides, and there is no sure footing in the middle. The point is

> "That Serbonian bog
> Betwixt Damieta and Mount Cassius old,
> Where armies whole have sunk."

I do not intend to be overwhelmed in this bog, though in such respectable company. The question with me is, not whether you have a right to render your people miserable, but whether it is not your interest to make them happy. It is not what a lawyer tells me I may do, but what humanity, reason, and justice tell me I ought to do. Is a politic act the worse for being a generous one? Is no concession proper but that which is made from your want of right to keep what you grant? Or does it lessen the grace or dignity of relaxing in the exercise of an odious claim, because you have your evidence-room full of titles, and your magazines stuffed with arms to enforce them? What signify all those titles and all those arms? Of what avail are they, when the reason of the thing tells me that the assertion of my title is the loss of my suit, and that I could do nothing but wound myself by the use of my own weapons?

Such is steadfastly my opinion of the absolute necessity of keeping up the concord of this empire by a unity of spirit, though in a diversity of operations, that, if I were sure the colonists had, at their leaving this country, sealed a regular compact of servitude; that they had solemnly abjured all the rights of citizens; that they had made a vow to renounce all ideas of liberty for them and their posterity to all generations, yet I should hold myself obliged to conform to the temper I found universally prevalent in my own day, and to govern two millions of men, impatient of servitude, on the principles of freedom. I am not determining a point of law. I am restoring tranquillity, and the general character and situation of a people must determine what sort of government is fitted for them. That point nothing else can or ought to determine.

My idea, therefore, without considering whether we yield as a matter of right, or grant as matter of favor, is *to admit the people of our colonies into an interest in the Constitution,* and, by recording that admission in the journals of Parliament, to give them as strong an assurance as the nature of the thing will admit, that we mean forever to adhere to that solemn declaration of systematic indulgence.

Some years ago, the repeal of a revenue act, upon its understood principle, might have served to show that we intended an unconditional

abatement of the exercise of a taxing power. Such a measure was then sufficient to remove all suspicion, and to give perfect content. But unfortunate events, since that time, may make something further necessary, and not more necessary for the satisfaction of the colonies, than for the dignity and consistency of our own future proceedings.

I have taken a very incorrect measure of the disposition of the House, if this proposal in itself would be received with dislike. I think, sir, we have few American financiers. But our misfortune is, we are too acute; we are too exquisite in our conjectures of the future, for men oppressed with such great and present evils. The more moderate among the opposers of Parliamentary concessions freely confess that they hope no good from taxation, but they apprehend the colonists have further views, and, if this point were conceded, they would instantly attack the Trade Laws. These gentlemen are convinced that this was the intention from the beginning, and the quarrel of the Americans with taxation was no more than a cloak and cover to this design. Such has been the language even of a gentlemen [Mr. Rice] of real moderation, and of a natural temper well adjusted to fair and equal government. I am, however, sir, not a little surprised at this kind of discourse, whenever I hear it; and I am the more surprised, on account of the arguments which I constantly find in company with it, and which are often urged from the same mouths and on the same day.

For instance, when we allege that it is against reason to tax a people under so many restraints in trade as the Americans, the noble lord in the blue ribbon shall tell you that the restraints of trade are futile and useless; of no advantage to us, and of no burden to those on whom they are imposed; that the trade of America is not secured by the acts of navigation, but by the natural and irresistible advantage of a commercial preference.

Such is the merit of the trade laws in this posture of the debate. But when strong internal circumstances are urged against the taxes; when the scheme is dissected; when experience and the nature of things are brought to prove, and do prove, the utter impossibility of obtaining an effective revenue from the colonies; when these things are pressed, or rather press themselves, so as to drive the advocates of colony taxes to a clear admission of the futility of the scheme; then, sir, the sleeping trade laws revive from their trance, and this useless taxation is to be kept sacred, not for its own sake, but as a counterguard and security of the laws of trade.

Then, sir, you keep up revenue laws which are mischievous, in order to preserve trade laws that are useless. Such is the wisdom of our plan in both its members. They are separately given up as of no value,

and yet one is always to be defended for the sake of the other. But I cannot agree with the noble lord, nor with the pamphlet from whence he seems to have borrowed these ideas, concerning the inutility of the trade laws; for, without idolizing them, I am sure they are still, in many ways, of great use to us; and in former times, they have been of the greatest. They do confine, and they do greatly narrow the market for the Americans; but my perfect conviction of this does not help me in the least to discern how the revenue laws form any security whatsoever to the commercial regulations, or that these commercial regulations are the true ground of the quarrel, or that the giving way in any one instance of authority is to lose all that may remain unconceded.

One fact is clear and indisputable. The public and avowed origin of this quarrel was on taxation. This quarrel has, indeed, brought on new disputes on new questions, but certainly the least bitter, and the fewest of all, on the trade laws. To judge which of the two be the real radical cause of quarrel, we have to see whether the commercial dispute did, in order of time, precede the dispute on taxation. There is not a shadow of evidence for it. Next, to enable us to judge whether at this moment a dislike to the trade laws be the real cause of quarrel, it is absolutely necessary to put the taxes out of the question by a repeal. See how the Americans act in this position, and then you will be able to discern correctly what is the true object of the controversy, or whether any controversy at all will remain. Unless you consent to remove this cause of difference, it is impossible, with decency, to assert that the dispute is not upon what it is avowed to be. And I would, sir, recommend to your serious consideration, whether it be prudent to form a rule for punishing people, not on their own acts, but on your conjectures. Surely it is preposterous at the very best. It is not justifying your anger by their misconduct, but it is converting your ill will into their delinquency.

But the colonies will go further. Alas! alas! when will this speculating against fact and reason end? What will quiet these panic fears which we entertain of the hostile effect of a conciliatory conduct? Is it true that no case can exist in which it is proper for the sovereign to accede to the desires of his discontented subjects? Is there anything peculiar in this case to make a rule for itself? Is all authority of course lost, when it is not pushed to the extreme? Is it a certain maxim, that the fewer causes of dissatisfaction are left by government the more the subject will be inclined to resist and rebel?

All these objections being, in fact, no more than suspicions, conjectures, divinations, formed in defiance of fact and experience, they did not,

sir, discourage me from entertaining the idea of a conciliatory concession, founded on the principles which I have just stated.

In forming a plan of this purpose, I endeavored to put myself in that frame of mind which was the most natural and the most reasonable, and which was certainly the most probable means of securing me from all error. I set out with a perfect distrust of my own abilities; a total renunciation of every speculation of my own; and with a profound reverence for the wisdom of our ancestors, who have left us the inheritance of so happy a constitution and so flourishing an empire, and, what is a thousand times more valuable, the treasury of maxims and principles which formed the one and obtained the other.

During the reigns of the kings of Spain of the Austrian family, whenever they were at a loss in the Spanish councils, it was common for their statesmen to say, that they ought to consult the genius of Philip the Second. The genius of Philip the Second might mislead them; and the issue of their affairs showed that they had not chosen the most perfect standard. But, sir, I am sure that I shall not be misled, when, in a case of constitutional difficulty, I consult the genius of the English Constitution. Consulting at that oracle (it was with all due humility and piety), I found four capital examples in a similar case before me: those of Ireland, Wales, Chester, and Durham.

Ireland, before the English conquest, though never governed by a despotic power, had no Parliament. How far the English Parliament itself was at that time modeled according to the present form, is disputed among antiquarians. But we have all the reason in the world to be assured, that a form of Parliament, such as England then enjoyed, she instantly communicated to Ireland; and we are equally sure that almost every successive improvement in constitutional liberty, as fast as it was made here, was transmitted thither. The feudal baronage and the feudal knighthood, the roots of our primitive constitution, were early transplanted into that soil, and grew and flourished there. *Magna Charta,* if it did not give us originally the House of Commons, gave us, at least, a House of Commons of weight and consequence. But your ancestors did not churlishly sit down alone to the feast of *Magna Charta.* Ireland was made immediately a partaker. This benefit of English laws and liberties, I confess, was not at first extended to *all* Ireland. Mark the consequence. English authority and English liberty had exactly the same boundaries. Your standard could never be advanced an inch before your privileges. Sir John Davis shows beyond a doubt that the refusal of a general communication of these rights was the true cause why Ireland was five hundred years in subduing; and after the vain projects of a military government, attempted in the reign of Queen

Elizabeth, it was soon discovered that nothing could make that country English, in civility and allegiance, but your laws and your forms of legislature. It was not English arms, but the English Constitution, that conquered Ireland. From that time, Ireland has ever had a general Parliament, as she had before a partial Parliament. You changed the people; you altered the religion; but you never touched the form or the vital substance of free government in that kingdom. You deposed kings; you restored them; you altered the succession to theirs, as well as to your own crown; but you never altered their Constitution; the principle of which was respected by usurpation; restored with the restoration of monarchy, and established, I trust, forever, by the glorious revolution. This has made Ireland the great and flourishing kingdom that it is; and, from a disgrace and a burden intolerable to this nation, has rendered her a principal part of our strength and ornament. This country cannot be said to have ever formally taxed her. The irregular things done in the confusion of mighty troubles, and on the hinge of great revolutions, even if all were done that is said to have been done, form no example. If they have any effect in argument, they make an exception to prove the rule. None of your own liberties could stand a moment if the casual deviations from them, at such times, were suffered to be used as proofs of the nullity. By the lucrative amount of such casual breaches in the Constitution, judge what the stated and fixed rule of supply has been in that kingdom. Your Irish pensioners would starve, if they had no other fund to live on than the taxes granted by English authority. Turn your eyes to those popular grants from whence all your great supplies are come, and learn to respect that only source of public wealth in the British empire.

My next example is Wales. This country was said to be reduced by Henry the Third. It was said more truly to be so by Edward the First. But though then conquered, it was not looked upon as any part of the realm of England. Its old Constitution, whatever that might have been, was destroyed, and no good one was substituted in its place. The care of that tract was put into the hands of Lords Marchers —a form of government of a very singular kind; a strange heterogeneous monster, something between hostility and government; perhaps it has a sort of resemblance, according to the modes of those times, to that of a commander-in-chief at present, to whom all civil power is granted as secondary. The manners of the Welsh nation followed the genius of the government. The people were ferocious, restive, savage, and uncultivated; sometimes composed, never pacified. Wales, within itself, was in perpetual disorder; and it kept the frontier of England in per-

petual alarm. Benefits from it to the State there were none. Wales was only known to England by incursion and invasion.

Sir, during that state of things, Parliament was not idle. They attempted to subdue the fierce spirit of the Welsh by all sorts of rigorous laws. They prohibited by statute the sending all sorts of arms into Wales, as you prohibit by proclamation (with something more of doubt on the legality) the sending arms to America. They disarmed the Welsh by statute, as you attempted (but still with more question on the legality) to disarm New England by an instruction. They made an act to drag offenders from Wales into England for trial, as you have done (but with more hardship) with regard to America. By another act, where one of the parties was an Englishman, they ordained that his trial should be always by English. They made acts to restrain trade, as you do; and they prevented the Welsh from the use of fairs and markets, as you do the Americans from fisheries and foreign ports. In short, when the statute book was not quite so much swelled as it is now, you find no less than fifteen acts of penal regulation on the subject of Wales.

Here we rub our hands—a fine body of precedents for the authority of Parliament and the use of it—I admit it fully; and pray add likewise to these precedents, that all the while Wales rid this kingdom like an incubus; that it was an unprofitable and oppressive burden, and that an Englishman traveling in that country could not go six yards from the highroad without being murdered.

The march of the human mind is slow. Sir, it was not until after two hundreds years discovered that, by an eternal law, Providence had decreed vexation to violence, and poverty to rapine. Your ancestors did, however, at length open their eyes to the ill husbandry of injustice. They found that the tyranny of a free people could of all tyrannies the least be endured, and that laws made against a whole nation were not the most effectual methods for securing its obedience. Accordingly, in the twenty-seventh year of Henry VIII., the course was entirely altered. With a preamble stating the entire and perfect rights of the Crown of England, it gave to the Welsh all the rights and privileges of English subjects. A political order was established; the military power gave way to the civil; the marches were turned into counties. But that a nation should have a right to English liberties, and yet no share at all in the fundamental security of these liberties, the grant of their own property, seemed a thing so incongruous, that, eight years after, that is, in the thirty-fifth of that reign, a complete and not ill-proportioned representation by counties and boroughs was bestowed upon Wales by act of Parliament.

From that moment, as by a charm, the tumults subsided; obedience was restored; peace, order, and civilization followed in the train of liberty. When the day-star of the English Constitution had arisen in their hearts, all was harmony within and without.

Simul alba nautis
Stella refulsit,
Defluit saxis agitatus humor:
Concidunt venti, fugiuntque nubes;
Et minax (quod sic voluere) ponto
Unda recumbit.

The very same year the county palatine of Chester received the same relief from its oppressions and the same remedy to its disorders. Before this time Chester was little less distempered than Wales. The inhabitants, without rights themselves, were the fittest to destroy the rights of others; and from thence Richard II. drew the standing army of archers with which for a time he oppressed England. The people of Chester applied to Parliament in a petition penned as I shall read to you:

"To the King our sovereign lord, in most humble wise shown unto your excellent Majesty, the inhabitants of your Grace's county palatine of Chester; that where the said county palatine of Chester is and hath been always hitherto exempt, excluded and separated out and from your high court of Parliament, to have any knights and burgesses within the said court; by reason whereof the said inhabitants have hitherto sustained manifold disherisons, losses, and damages, as well in their lands, goods, and bodies, as in the good, civil, and politic governance and maintenance of the Commonwealth of their said country. (2) And, forasmuch as the said inhabitants have always hitherto been bound by the acts and statutes made and ordained by your said highness and your most noble progenitors, by authority of the said court, as far forth as other counties, cities, and boroughs have been, that have had their knights and burgesses within your said court of Parliament, and yet have had neither knight nor burgess there for the said county palatine; the said inhabitants, for the lack thereof, have been oftentimes touched and grieved with acts and statutes made within the said court, as well derogatory unto the most ancient jurisdictions, liberties, and privileges of your said county palatine, as prejudicial unto the Commonwealth, quietness, rest, and peace of your Grace's most bounden subjects inhabiting within the same."

What did Parliament with this audacious address? Reject it as a libel? Treat it as an affront to government? Spurn it as a derogation from the rights of legislature? Did they toss it over the table? Did they burn it by the hands of the common hangman? They took the petition of

grievance, all rugged as it was, without softening or temperament, unpurged of the original bitterness and indignation of complaint; they made it the very preamble to their act of redress, and consecrated its principle to all ages in the sanctuary of legislation.

Here is my third example. It was attended with the success of the two former. Chester, civilized as well as Wales, has demonstrated that freedom, and not servitude, is the cure of anarchy, as religion, and not atheism, is the true remedy for superstition. Sir, this pattern of Chester was followed in the reign of Charles II. with regard to the county palatine of Durham, which is my fourth example. This county had long lain out of the pale of free legislation. So scrupulously was the example of Chester followed, that the style of the preamble is nearly the same with that of the Chester act; and without affecting the abstract extent of the authority of Parliament, it recognizes the equity of not suffering any considerable district in which the British subjects may act as a body to be taxed without their own voice in the grant.

Now, if the doctrines of policy contained in these preambles, and the force of these examples in the acts of Parliament, avail nothing, what can be said against applying them with regard to America? Are not the people of America as much Englishmen as the Welsh? The preamble of the act of Henry VIII. says the Welsh speak a language no way resembling that of his Majesty's English subjects. Are the Americans not as numerous? If we may trust the learned and accurate Judge Barrington's account of North Wales, and take that as a standard to measure the rest, there is no comparison. The people cannot amount to above 200,000; not a tenth part of the number in the colonies. Is America in rebellion? Wales was hardly ever free from it. Have you attempted to govern America by penal statutes? You made fifteen for Wales. But your legislative authority is perfect with regard to America. Was it less perfect in Wales, Chester, and Durham! But America is virtually represented. What! does the electric force of virtual representation more easily pass over the Atlantic than pervade Wales, which lies in your neighborhood; or than Chester and Durham, surrounded by abundance of representation that is actual and palpable? But, sir, your ancestors thought this sort of virtual representation, however ample, to be totally insufficient for the freedom of the inhabitants of territories that are so near, and comparatively so inconsiderable. How, then, can I think it sufficient for those which are infinitely greater and infinitely more remote?

You will now, sir, perhaps imagine that I am on the point of proposing to you a scheme for representation of the colonies in Parliament. Perhaps I might be inclined to entertain some such thought, but a great

flood stops me in my course. *Opposuit natura.* I cannot remove the eternal barriers of the creation. The thing in that mode I do not know to be possible. As I meddle with no theory, I do not absolutely assert the impracticability of such a representation; but I do not see my way to it; and those who have been more confident have not been more successful. However, the arm of public benevolence is not shortened, and there are often several means to the same end. What nature has disjoined in one way wisdom may unite in another. When we cannot give the benefit as we would wish, let us not refuse it altogether. If we cannot give the principal, let us find a substitute. But how? Where? What substitute?

Fortunately I am not obliged for the ways and means of this substitute to tax my own unproductive invention. I am not even obliged to go to the rich treasury of the fertile framers of imaginary commonwealths; not to the Republic of Plato, not to the Utopia of More, not to the Oceana of Harrington. It is before me. It is at my feet.

"And the dull swain
Treads daily on it with his clouted shoon."

I only wish you to recognize, for the theory, the ancient constitutional policy of this kingdom with regard to representation, as that policy has been declared in acts of Parliament; and, as to the practice, to return to that mode which a uniform experience has marked out to you as best, and in which you walked with security, advantage, and honor, until the year 1763.

My resolutions, therefore, mean to establish the equity and justice of a taxation of America, by *grant* and not by imposition. To mark the legal competency of the colony assemblies for the support of their government in peace, and for public aids in time of war. To acknowledge that this legal competency has had a dutiful and beneficial exercise; and that experience has shown the benefit of their grants, and the futility of parliamentary taxation as a method of supply.

These solid truths compose six fundamental propositions. There are three more resolutions corollary to these. If you admit the first set, you can hardly reject the others. But if you admit the first, I shall be far from solicitous whether you accept or refuse the last. I think these six massive pillars will be of strength sufficient to support the temple of British concord. I have no more doubt than I entertain of my existence, that, if you admitted these, you would command an immediate peace; and, with but tolerable future management, a lasting obedience in America. I am not arrogant in this confident assurance. The propositions are all mere matters of fact; and if they are such facts as draw

irresistible conclusions even in the stating, this is the power of truth, and not any management of mine.

Sir, I shall open the whole plan to you, together with such observations on the motions as may tend to illustrate them where they may want explanation. The first is a resolution:

"That the colonies and plantations of Great Britain in North America, consisting of fourteen separate governments, and containing two millions and upward of free inhabitants, have not had the liberty and privilege of electing and sending any knights and burgesses or others to represent them in the high court of Parliament."

This is a plain matter of fact, necessary to be laid down, and (excepting the description) it is laid down in the language of the Constitution: it is taken nearly *verbatim* from acts of Parliament.

The second is like unto the first:

"That the said colonies and plantations have been liable to and bounded by several subsidies, payments, rates, and taxes, given and granted by Parliament, though the said colonies and plantations have not their knights and burgesses in the said high court of Parliament, of their own election, to represent the condition of their country; by lack whereof they have been oftentimes touched and grieved by subsidies given, granted, and assented to, in said court, in a manner prejudicial to the commonwealth, quietness, rest, and peace of the subjects inhabiting within the same."

Is this description too hot or too cold, too strong or too weak? Does it arrogate too much to the supreme Legislature? Does it lean too much to the claims of the people? If it runs into any of these errors, the fault is not mine. It is the language of your own ancient acts of Parliament.

> Nec meus hic sermo est sed quæ præcipit Ofellus
> Rusticus, abnormis sapiens.

It is the genuine produce of the ancient, rustic, manly, home-bred sense of this country. I did not dare to rub off a particle of the venerable rust that rather adorns and preserves, than destroys the metal. It would be a profanation to touch with a tool the stones which construct the sacred altar of peace. I would not violate with modern polish the ingenious and noble roughness of these truly constitutional materials. Above all things, I was resolved not to be guilty of tampering, the odious vice of restless and unstable minds. I put my foot in the tracks of our forefathers, where I can neither wander nor stumble. Determining

to fix articles of peace, I was resolved not to be wise beyond what was written; I was resolved to use nothing else than the form of sound words, to let others abound in their own sense, and carefully to abstain from all expressions of my own. What the law has said, I say. In all things else I am silent. I have no organ but for her words. This, if it be not ingenious, I am sure, is safe.

There are, indeed, words expressive of grievance in this second resolution, which those who are resolved always to be in the right will deny to contain matter of fact, as applied to the present case, although Parliament thought them true with regard to the counties of Chester and Durham. They will deny that the Americans were ever "touched and grieved" with the taxes. If they considered nothing in taxes but their weight as pecuniary impositions, there might be some pretense for this denial. But men may be sorely touched and deeply grieved in their privileges as well as in their purses. Men may lose little in property by the act which takes away all their freedom. When a man is robbed of a trifle on the highway, it is not the twopence lost that constitutes the capital outrage. This is not confined to privileges. Even ancient indulgences withdrawn, without offense on the part of those who enjoy such favors, operate as grievances. But were the Americans then not touched and grieved by the taxes, in some measure merely as taxes? If so, why were they almost all either wholly repealed or exceedingly reduced? Were they not touched and grieved, even by the regulating duties of the sixth of George II.? Else why were the duties first reduced to one-third in 1764, and afterward to a third of that third in the year 1766? Were they not touched and grieved by the Stamp Act? I shall say they were, until that tax is revived. Were they not touched and grieved by the duties of 1767, which were likewise repealed, and which Lord Hillsborough tells you, for the Ministry, were laid contrary to the true principle of commerce? Is not the assurance given by that noble person to the colonies of a resolution to lay no more taxes on them, an admission that taxes would touch and grieve them? Is not the resolution of the noble lord in the blue ribbon, now standing on your journals, the strongest of all proofs that parliamentary subsidies really touched and grieved them? Else why all these changes, modifications, repeals, assurances, and resolutions?

The next proposition is:

"That, from the distance of the said colonies, and from other circumstances, no method had hitherto been devised for procuring a representation in Parliament for the said colonies."

This is an assertion of the fact. I go no further on the paper; though in my private judgment, a useful representation is impossible, I am sure it is not desired by them, nor ought it, perhaps, by us, but I abstain from opinions.

The fourth resolution is:

"That each of the said colonies hath within itself a body chosen in part or in the whole, by the freemen, freeholders, or other free inhabitance thereof, commonly called the General Assembly, or General Court, with powers legally to raise, levy, and assess, according to the several usages of such colonies, duties and taxes toward the defraying all sorts of public services."

This competence in the colony assemblies is certain. It is proved by the whole tenor of their acts of supply in all the assemblies, in which the constant style of granting is, "an aid to his Majesty"; and acts granting to the Crown have regularly for near a century passed the public offices without dispute. Those who have been pleased paradoxically to deny this right, holding that none but the British Parliament can grant to the Crown, are wished to look to what is done, not only in the colonies, but in Ireland, in one uniform, unbroken tenor every session.

Sir, I am surprised that this doctrine should come from some of the law servants of the Crown. I say that if the Crown could be responsible, his Majesty—but certainly the ministers, and even these law officers themselves, through whose hands the acts pass biennially in Ireland, or annually the colonies, are in a habitual course of committing impeachable offenses. What habitual offenders have been all presidents of the council, all secretaries of state, all first lords of trade, all attorneys, and all solicitors-general! However, they are safe, as no one impeaches them; and there is no ground of charge against them, except in their own unfounded theories.

The fifth resolution is also a resolution of fact:

"That the said General Assemblies, General Courts, or other bodies legally qualified as aforesaid, have at sundry times freely granted several large subsidies and public aids for his Majesty's service, according to their abilities, when required thereto by letter from one of his Majesty's principal secretaries of State. And that their right to grant the same, and their cheerfulness and sufficiency in the said grants, have been at sundry times acknowledged by Parliament."

To say nothing of their great expenses in the Indian wars; and not to take their exertion in foreign ones, so high as the supplies in the year 1695, not to go back to their public contributions in the year 1710, I

shall begin to travel only where the journals give me light; resolving to deal in nothing but fact authenticated by parliamentary record, and to build myself wholly on that solid basis.

On the 4th of April, 1748, a committee of this House came to the following resolution:

"*Resolved,* That it is the opinion of this committee, *that it is just and reasonable* that the several provinces and colonies of Massachusetts Bay, New Hampshire, Connecticut, and Rhode Island, be reimbursed the expenses they have been at in taking and securing to the Crown of Great Britain the Island of Cape Breton and its dependencies."

These expenses were immense for such colonies. They were above £200,000 sterling; money first raised and advanced on their public credit.

On the 28th of January, 1756, a message from the King came to us to this effect:

"His Majesty being sensible of the zeal and vigor with which his faithful subjects of certain colonies in North America have exerted themselves in defense of his Majesty's just rights and possessions, recommends it to this House to take the same into their consideration, and to enable his Majesty to give them such assistance as may be a *proper reward and encouragement.*"

On the 3d of February, 1756, the House came to a suitable resolution, expressed in words nearly the same as those of the message; but with the further addition, that the money then voted was an *encouragement* to the colonies to exert themselves with vigor. It will not be necessary to go through all the testimonies which your own records have given to the truth of my resolutions. I will only refer you to the places in the journals: Vol. xxvii., 16th and 19th May, 1757; vol. xxviii., June 1, 1758—April 26 and 30, 1759—March 26 and 31, and April 28, 1760—January 9 and 20, 1761; vol. xxix., January 22 and 26, 1762—March 14 and 17, 1763.

Sir, here is the repeated acknowledgment of Parliament, that the colonies not only gave, but gave to satiety. This nation has formally acknowledged two things: first, that the colonies had gone beyond their abilities, Parliament having thought it necessary to reimburse them; secondly, that they had acted legally and laudably in their grants of money, and their maintenance of troops, since the compensation is expressly given as reward and encouragement. Reward is not bestowed for acts that are unlawful; and encouragement is not held out to things that deserve reprehension. My resolution, therefore, does nothing more than collect into one proposition what is scattered through your jour-

nals. I give you nothing but your own, and you cannot refuse in the gross what you have so often acknowledged in detail. The admission of this, which will be so honorable to them and to you, will, indeed, be mortal to all the miserable stories by which the passions of the misguided people have been engaged in an unhappy system. The people heard, indeed, from the beginning of these disputes, one thing continually dinned in their ears, that reason and justice demanded that the Americans, who paid no taxes, should be compelled to contribute. How did that fact of their paying nothing stand when the taxing system began? When Mr. Grenville began to form his system of American revenue, he stated in this House that the colonies were then in debt two million six hundred thousand pounds sterling money, and was of opinion they would discharge that debt in four years. On this state, those untaxed people were actually subject to the payment of taxes to the amount of six hundred and fifty thousand a year. In fact, however, Mr. Grenville was mistaken. The funds given for sinking the debt did not prove quite so ample as both the colonies and he expected. The calculation was too sanguine: the reduction was not completed till some years after, and at different times in different colonies. However, the taxes after the war continued too great to bear any addition, with prudence or propriety; and when the burdens imposed in consequence of former requisitions were discharged, our tone became too high to resort again to requisition. No colony, since that time, ever has had any requisition whatsoever made to it.

We see the sense of the Crown, and the sense of Parliament, on the productive nature of a revenue by grant. Now search the same journals for the produce of the revenue by imposition. Where is it? Let us know the volume and the page. What is the gross, what is the net produce? To what service is it applied? How have you appropriated its surplus? What, can none of the many skilful index-makers that we are now employing find any trace of it? Well, let them and that rest together. But, are the journals, which say nothing of the revenue, as silent on the discontent? Oh, no! a child may find it. It is the melancholy burden and blot of every page.

I think, then, I am, from those journals, justified in the sixth and last resolution, which is:

"That it hath been found by experience that the manner of granting the said supplies and aids, by the said general assemblies, hath been more agreeable to the said colonies, and more beneficial and conducive to the public service, than the mode of giving and granting aids in Parliament, to be raised and paid in the said colonies."

This makes the whole of the fundamental part of the plan. The conclusion is irresistible. You cannot say that you were driven by any necessity to an exercise of the utmost rights of legislature. You cannot assert that you took on yourselves the task of imposing colony taxes, from the want of another legal body, that is competent to the purpose of supplying the exigencies of the State without wounding the prejudices of the people. Neither is it true that the body so qualified, and having that competence, had neglected the duty.

The question now on all this accumulated matter, is—whether you will choose to abide by a profitable experience, or a mischievous theory; whether you choose to build on imagination or fact; whether you prefer enjoyment or hope; satisfaction in your subjects or discontent?

If these propositions are accepted, everything which has been made to enforce a contrary system must, I take it for granted, fall along with it. On that ground I have drawn the following resolution, which, when it comes to be moved, will naturally be divided in a proper manner:

"That it may be proper to repeal an act, made in the seventh year of the reign of his present Majesty, entitled An Act for granting certain duties in the British colonies and plantations in America; for allowing a drawback of the duties of customs upon the exportation from this kingdom of coffee and cocoanuts of the produce of the said colonies or plantations; for discontinuing the drawbacks payable on China earthenware exported to America, and for more effectually preventing the clandestine running of goods in the said colonies and plantations; and that it may be proper to repeal an act, made in the fourteenth year of the reign of his present Majesty, entitled, An Act to discontinue, in such manner, and for such time as are therein mentioned, the landing and discharging, lading, or shipping, of goods, wares, and merchandise, at the town and within the harbor of Boston, in the province of Massachusetts Bay, in North America; and that it may be proper to repeal an act, made in the fourteenth year of the reign of his present Majesty, entitled, An Act for the impartial administration of justice in the cases of persons questioned for any acts done by them in the execution of the law, or for the suppression of riots and tumults in the province of Massachusetts Bay, in New England; and that it may be proper to repeal an act, made in the fourteenth year of the reign of his present Majesty, entitled, An Act for the better regulating the government of the province of Massachusetts Bay, in New England; and also, that it may be proper to explain and amend an act, made in the thirty-fifth year of the reign of King Henry the Eighth, entitled, An Act for the trial of treasons committed out of the King's dominions."

I wish, sir, to repeal the Boston Port Bill, because (independently of the dangerous precedent of suspending the rights of the subject during the King's pleasure) it was passed, as I apprehended, with less regu-

larity, and on more partial principles, than it ought. The corporation of Boston was not heard before it was condemned. Other towns, full as guilty as she was, have not had their ports blocked up. Even the restraining bill of the present session does not go to the length of the Boston Port Act. The same ideas of prudence which induced you not to extend equal punishment to equal guilt, even when you were punishing, induce me, who mean not to chastise, but to reconcile, to be satisfied with the punishment already partially inflicted.

Ideas of prudence, and accommodation to circumstances, prevent you from taking away the charters of Connecticut and Rhode Island, as you have taken away that of Massachusetts Colony, though the Crown has far less power in the two former provinces than it enjoyed in the latter; and though the abuses have been full as great and as flagrant in the exempted as in the punished. The same reasons of prudence and accommodation have weight with me in restoring the charter of Massachusetts Bay. Besides, sir, the act which changes the charter of Massachusetts is in many particulars so exceptionable, that if I did not wish absolutely to repeal, I would by all means desire to alter it, as several of its provisions tend to the subversion of all public and private justice. Such, among others, is the power in the Governor to change the sheriff at his pleasure, and to make a new returning officer for every special cause. It is shameful to behold such a regulation standing among English laws.

The act for bringing persons accused of committing murder under the orders of government to England for trial is but temporary. That act has calculated the probable duration of our quarrel with the colonies, and is accommodated to that supposed duration. I would hasten the happy moment of reconciliation, and therefore must, on my principle, get rid of that most justly obnoxious act.

The act of Henry the Eighth, for the trial of treasons, I do not mean to take away, but to confine it to its proper bounds and original intention; to make it expressly for trial of treasons (and the greatest treasons may be committed) in places where the jurisdiction of the Crown does not extend.

Having guarded the privileges of local legislature, I would next secure to the colonies a fair and unbiased judicature; for which purpose, sir, I propose the following resolution:

"That, from the time when the General Assembly or General Court of any colony or plantation in North America shall have appointed by act of assembly, duly confirmed, a settled salary to the offices of the Chief-Justice and other judges of the Superior Court, it may be proper that the said Chief-Justice and other judges of the Superior Courts of such colony, shall hold

his and their office and offices during their good behavior, and shall not be removed therefrom, but when the said removal shall be adjudged by his Majesty in council, upon a hearing on complaint from the General Assembly, or on a complaint from the Governor, or Council, or the House of Representatives severally, of the colony in which the said Chief-Justice and other judges have exercised the said offices."

The next resolution relates to the Courts of Admiralty. It is this:

"That it may be proper to regulate the Courts of Admiralty, or Vice Admiralty, authorized by the 15th chapter of the 4th of George the Third, in such a manner as to make the same more commodious to those who sue, or are sued, in the said courts, and to provide for the more decent maintenance of the judges in the same."

These courts I do not wish to take away. They are, in themselves, proper establishments. This court is one of the capital securities of the Act of Navigation. The extent of its jurisdiction, indeed, has been increased; but this is altogether as proper, and is, indeed, on many accounts, more eligible, where new powers were wanted, than a court absolutely new. But courts incommodiously situated, in effect, deny justice; and a court, partaking in the fruits of its own condemnation, is a robber. The Congress complain, and complain justly, of this grievance.

These are the three consequential propositions. I have thought of two or three more, but they come rather too near detail, and to the province of executive government, which I wish Parliament always to superintend, never to assume. If the first six are granted, congruity will carry the latter three. If not, the things that remain unrepealed will be, I hope, rather unseemly encumbrances on the building than very materially detrimental to its strength and stability.

Here, sir, I should close, but that I plainly perceive some objections remain, which I ought, if possible, to remove. The first will be that, in resorting to the doctrine of our ancestors, as contained in the preamble to the Chester act, I prove too much; that the grievance from a want of representation stated in that preamble, goes to the whole of legislation as well as to taxation. And that the colonies, grounding themselves upon that doctrine, will apply it to all parts of legislative authority.

To this objection with all possible deference and humility, and wishing as little as any man living to impair the smallest particle of our supreme authority, I answer that *the words are the words of Parliament, and not mine;* and that all false and inconclusive inferences drawn from them are not mine, for I heartily disclaim any such inference. I have

chosen the words of an act of Parliament, which Mr. Grenville, surely a tolerably zealous and very judicious advocate for the sovereignty of Parliament, formerly moved to have read at your table, in confirmation of his tenets. It is true that Lord Chatham considered these preambles as declaring strongly in favor of his opinions. He was a no less powerful advocate for the privileges of the Americans. Ought I not from hence to presume that these preambles are as favorable as possible to both, when properly understood; favorable both to the rights of Parliament, and to the privilege of the dependencies of this crown? But, sir, the object of grievance in my resolution I have not taken from the Chester, but from the Durham act, which confines the hardship of want of representation to the case of subsidies, and which, therefore, falls in exactly with the case of the colonies. But whether the unrepresented counties were *de jure* or *de facto* bound, the preambles do not accurately distinguish; nor, indeed, was it necessary; for, whether *de jure* or *de facto,* the legislature thought the exercise of the power of taxing, as of right, or as of fact without right, equally a grievance, and equally oppressive.

I do not know that the colonies have, in any general way or in any cool hour, gone much beyond the demand of immunity in relation to taxes. It is not fair to judge of the temper or dispositions of any man, or any set of men, when they are composed and at rest, from their conduct or their expressions in a state of disturbance and irritation. It is, besides, a very great mistake to imagine that mankind follow up practically any speculative principle, either of government or freedom, as far as it will go in argument and logical illation. We Englishmen stop very short of the principles upon which we support any given part of our Constitution, or even the whole of it together. I could easily, if I had not already tired you, give you very striking and convincing instances of it. This is nothing but what is natural and proper. All government, indeed every human benefit and enjoyment, every virtue and every prudent act, is founded on compromise and barter. We balance inconveniences; we give and take; we remit some rights that we may enjoy others; and we choose rather to be happy citizens than subtle disputants. As we must give away some natural liberty to enjoy civil advantages, so we must sacrifice some civil liberties for the advantages to be derived from the communion and fellowship of a great empire. But, in all fair dealings, the thing bought must bear some proportion to the purchase paid. None will barter away "the immediate jewel of his soul." Though a great house is apt to make slaves haughty, yet it is purchasing a part of the artificial importance of a great empire too dear to pay for it all essential rights and all the intrinsic dignity of

human nature. None of us who would not risk his life rather than fall under a government purely arbitrary. But, although there are some among us who think our Constitution wants many improvements to make it a complete system of liberty, perhaps none who are of that opinion would think it right to aim at such improvement by disturbing his country, and risking everything that is dear to him. In every arduous enterprise we consider what we are to lose as well as what we are to gain; and the more and better stake of liberty every people possess, the less they will hazard in a vain attempt to make it more. These are *the cords of man.* Man acts from adequate motive relative to his interest, and not on metaphysical speculations. Aristotle, the great master of reasoning, cautions us, and with great weight and propriety, against this species of delusive geometrical accuracy in moral arguments as the most fallacious of all sophistry.

The Americans will have no interest contrary to the grandeur and glory of England, when they are not oppressed by the weight of it; and they will rather be inclined to respect the acts of a superintending legislature, when they see them the acts of that power which is itself the security, not the rival, of their secondary importance. In this assurance my mind most perfectly acquiesces, and I confess I feel not the least alarm from the discontents which are to arise from putting people at their ease; nor do I apprehend the destruction of this empire from giving, by an act of free grace and indulgence, to two millions of my fellow-citizens, some share of those rights upon which I have always been taught to value myself.

It is said, indeed, that this power of granting, vested in American assemblies, would dissolve the unity of the empire, which was preserved entire, although Wales and Chester, and Durham were added to it. Truly, Mr. Speaker, I do not know what this unity means, nor has it even been heard of, that I know, in the constitutional policy of this country. The very idea of subordination of parts excludes this notion of simple and undivided unity. England is the head, but she is not the head and the members, too. Ireland has ever had from the beginning a separate, but not an independent legislature, which, far from distracting, promoted the union of the whole. Everything was sweetly and harmoniously disposed through both islands for the conservation of English dominion and the communication of English liberties. I do not see that the same principles might not be carried into twenty islands, and with the same good effect. This is my model with regard to America, as far as the internal circumstances of the two countries are the same. I know no other unity of this empire than I can draw from its example during these periods, when it seemed to my poor understanding more

united than it is now, or than it is likely to be by the present methods.

But since I speak of these methods, I recollect, Mr. Speaker, almost too late, that I promised, before I finished, to say something of the proposition of the noble lord [Lord North] on the floor, which has been so lately received, and stands on your journals. I must be deeply concerned whenever it is my misfortune to continue a difference with the majority of this House. But as the reasons for that difference are my apology for thus troubling you, suffer me to state them in a very few words. I shall compress them into as small a body as I possibly can, having already debated that matter at large when the question was before the committee.

First, then, I cannot admit that proposition of a ransom by auction, because it is a mere project. It is a thing new; unheard of; supported by no experience; justified by no analogy; without example of our ancestors, or root in the Constitution. It is neither regular parliamentary taxation nor colony grant. *"Experimentum in corpore vili"* is a good rule, which will ever make me adverse to any trial of experiments on what is certainly the most valuable of all subjects, the peace of this empire.

Secondly, it is an experiment which must be fatal, in the end, to our Constitution. For what is it but a scheme for taxing the colonies in the ante-chamber of the noble lord and his successors? To settle the quotas and proportions in this House is clearly impossible. You, sir, may flatter yourself you shall sit a state auctioneer with your hammer in your hand, and knock down to each colony as it bids. But to settle (on the plan laid down by the noble lord) the true proportional payment for four or five-and-twenty governments according to the absolute and the relative wealth of each, and according to the British proportion of wealth and burden, is a wild and chimerical notion. This new taxation must therefore come in by the back door of the Constitution. Each quota must be brought to this House ready formed; you can neither add nor alter. You must register it. You can do nothing further. For on what grounds can you deliberate, either before or after the proposition? You cannot hear the counsel for all these provinces, quarreling each on its own quantity of payment, and its proportion to others. If you should attempt it, the committee of provincial ways and means, or by whatever other name it will delight to be called, must swallow up all the time of Parliament.

Thirdly, it does not give satisfaction to the complaint of the colonies. They complain that they are taxed without their consent; you answer that you will fix the sum at which they shall be taxed. That is, you give them the very grievance for the remedy. You tell them indeed, that

you will leave the mode to themselves. I really beg pardon. It gives me pain to mention it; but you must be sensible that you will *not perform* this part of the contract. For, suppose the colonies were to lay the duties which furnished their contingent upon the importation of your manufactures? You know you would never suffer such a tax to be laid. You know, too, that you would not suffer many other modes of taxation; so that when you come to explain yourself, it will be found that you will neither leave to themselves the quantum nor the mode, nor, indeed, anything. The whole is delusion from one end to the other.

Fourthly, this method of ransom by auction, unless it be *universally* accepted, will plunge you into great and inextricable difficulties. In what year of our Lord are the proportions of payments to be settled, to say nothing of the impossibility, that colony agents should have general powers of taxing the colonies at their discretion? Consider, I implore you, that the communication by special messages, and orders between these agents and their constituents on each variation of the case, when the parties come to contend together, and to dispute on their relative proportions, will be a matter of delay, perplexity, and confusion that never can have an end.

If all the colonies do not appear at the outcry, what is the condition of those assemblies, who offer, by themselves or their agents, to tax themselves up to your ideas of their proportion? The refractory colonies who refuse all composition will remain taxed only to your old impositions, which, however grievous in principle, are trifling as to production. The obedient colonies in this scheme are heavily taxed; the refractory remain unburdened. What will you do? Will you lay new and heavier taxes by Parliament on the disobedient? Pray consider in what way you can do it. You are perfectly convinced that in the way of taxing you can do nothing but at the ports. Now suppose it is Virginia that refuses to appear at your auction, while Maryland and North Carolina bid handsomely for their ransom, and are taxed to your quota. How will you put these colonies on a par? Will you tax the tobacco of Virginia? If you do, you give its death wound to your English revenue at home, and to one of the very greatest articles of your own foreign trade. If you tax the import of that rebellious colony, what do you tax but your own manufactures, or the goods of some other obedient and already well-taxed colony? Who has said one word on this labyrinth of detail, which bewilders you more and more as you enter into it? Who has presented, who can present you with a clue to lead you out of it? I think, sir, it is impossible that you should not recollect that the colony bounds are so implicated in one another (you know it by your own experiments in the bill for prohibiting the New

England fishery) that you can lay no possible restraints on almost any of them which may not be presently eluded, if you do not confound the innocent with the guilty, and burden those whom, upon every principle, you ought to exonerate. He must be grossly ignorant of America who thinks that, without falling into this confusion of all rules of equity and policy, you can restrain any single colony, especially Virginia and Maryland, the central and most important of them all.

Let it also be considered that either in the present confusion you settle a permanent contingent which will and must be trifling, and then you have no effectual revenue; or you change the quota at every exigency, and then on every new repartition you will have a new quarrel.

Reflect, besides, that when you have fixed a quota for every colony, you have not provided for prompt and punctual payment. Suppose one, two, five, ten years' arrears. You cannot issue a Treasury Extent against the failing colony. You must make new Boston Port bills, new restraining laws, new acts for dragging men to England for trial. You must send out new fleets, new armies. All is to begin again. From this day forward the empire is never to know an hour's tranquillity. An intestine fire will be kept alive in the bowels of the colonies, which one time or another must consume this whole Empire. I allow, indeed, that the Empire of Germany raises her revenue and her troops by quotas and contingents; but the revenue of the Empire, and the army of the Empire, is the worst revenue and the worst army in the world.

Instead of a standing revenue, you will therefore have a perpetual quarrel. Indeed, the noble lord who proposed this project of a ransom by auction, seemed himself to be of that opinion. His project was rather designed for breaking the union of the colonies than for establishing a revenue. He confessed that he apprehended that his proposal would not be to *their taste*. I say this scheme of disunion seems to be at the bottom of the project; for I will not suspect that the noble lord meant nothing but merely to delude the nation by an airy phantom which he never intended to realize. But, whatever his views may be, as I propose the peace and union of the colonies as the very foundation of my plan, it cannot accord with one whose foundation is perpetual discord.

Compare the two. This I offer to give you is plain and simple. The other, full of perplexed and intricate mazes. This is mild; that, harsh. This is found by experience effectual for its purposes; the other is a new project. This is universal; the other, calculated for certain colonies only. This is immediate in its conciliatory operation; the other, remote, contingent, full of hazard. Mine is what becomes the dignity of a ruling people; gratuitous, unconditional, and not held out as matter of bar-

gain and sale. I have done my duty in proposing it to you. I have indeed tired you by a long discourse; but this is the misfortune of those to whose influence nothing will be conceded, and who must win every inch of their ground by argument. You have heard me with goodness. May you decide with wisdom! For my part, I feel my mind greatly disburdened by what I have done to-day. I have been the less fearful of trying your patience, because on this subject I mean to spare it altogether in future. I have this comfort, that in every stage of the American affairs, I have steadily opposed the measures that have produced the confusion, and may bring on the destruction of this Empire. I now go so far as to risk a proposal of my own. If I cannot give peace to my country, I give it to my conscience.

But what, says the financier, is peace to us without money? Your plan gives us no revenue. No! But it does—for it secures to the subject the power of REFUSAL—the first of all revenues. Experience is a cheat, and fact a liar, if this power in the subject of proportioning his grant, or of not granting at all, has not been found the richest mine of revenue ever discovered by the skill or by the fortune of man. It does not indeed vote you £152,750 11*s.* 2¾*d.*, nor any other paltry limited sum, but it gives the strong box itself, the fund, the bank from whence only revenues can arise among a people sensible of freedom: *Posita luditur arca.*

Cannot you in England; cannot you at this time of day; cannot you —a House of Commons—trust to the principle which has raised so mighty a revenue, and accumulated a debt of near one hundred and forty millions in this country? Is this principle to be true in England and false everywhere else? Is it not true in Ireland? Has it not hitherto been true in the colonies? Why should you presume, that in any country, a body duly constituted for any functions will neglect to perform its duty, and abdicate its trust? Such a presumption would go against all government in all modes. But, in truth, this dread of penury of supply, from a free assembly, has no foundation in nature. For first observe, that, besides the desire, which all men have naturally, of supporting the honor of their own government, that sense of dignity, and that security of property, which ever attends freedom, has a tendency to increase the stock of the free community. Most may be taken where most is accumulated. And what is the soil or climate where experience has not uniformly proved that the voluntary flow of heaped-up plenty, bursting from the weight of its own rich luxuriance, has ever run with a more copious stream of revenue, than could be squeezed from the dry husks of oppressed indigence, by the straining of all the politic machinery in the world.

Next, we know that parties must ever exist in a free country. We know, too, that the emulations of such parties, their contradictions, their reciprocal necessities, their hopes and their fears, must send them all in their turns to him that holds the balance of the state. The parties are the gamesters, but Government keeps the table, and is sure to be the winner in the end. When this game is played, I really think it is more to be feared that the people will be exhausted, than that Government will not be supplied; whereas, whatever is got by acts of absolute power, ill obeyed, because odious, or by contracts ill kept, because constrained, will be narrow, feeble, uncertain, and precarious.

"Ease would retract
Vows made in pain, as violent and void."

I, for one, protest against compounding our demands. I declare against compounding, for a poor limited sum, the immense ever-growing, eternal debt which is due to generous government from protected freedom. And so may I speed in the great object I propose to you, as I think it would not only be an act of injustice, but would be the worst economy in the world, to compel the colonies to a sum certain, either in the way of ransom or in the way of compulsory compact.

But to clear up my ideas on this subject; a revenue from America transmitted hither—do not delude yourselves—you never can receive it —no, not a shilling. We have experienced that from remote countries it is not to be expected. If, when you attempted to extract revenue from Bengal, you were obliged to return in loan what you had taken in imposition, what can you expect from North America? for certainly, if ever there was a country qualified to produce wealth, it is India; or an institution fit for the transmission, it is the East India Company. America has none of these aptitudes. If America gives you taxable objects on which you lay your duties *here,* and gives you, at the same time, a surplus by a foreign sale of her commodities to pay the duties on these objects which you tax at home, she has performed her part to the British revenue. But with regard to her own internal establisnments, she may, I doubt not she will, contribute in moderation; I say in moderation, for she ought not to be permitted to exhaust herself. She ought to be reserved to a war, the weight of which, with the enemies that we are most likely to have, must be considerable in her quarter of the globe. There she may serve you, and serve you essentially.

For that service, for all service, whether of revenue, trade or empire, my trust is in her interest in the British Constitution. My hold of the colonies is in the close affection which grows from common names, from

kindred blood, from similar privileges, and equal protection. These are ties which, though light as air, are as strong as links of iron. Let the colonies always keep the idea of their civil rights associated with your government; they will cling and grapple to you, and no force under heaven will be of power to tear them from their allegiance. But let it be once understood that your government may be one thing, and their privileges another; that these two things may exist without any mutual relation; the cement is gone; the cohesion is loosened; and everything hastens to decay and dissolution. As long as you have the wisdom to keep the sovereign authority of this country as the sanctuary of liberty, the sacred temple consecrated to our common faith, wherever the chosen race and sons of England worship Freedom, they will turn their faces toward you. The more they multiply, the more friends you will have. The more ardently they love liberty, the more perfect will be their obedience. Slavery they can have anywhere. It is a weed that grows in very soil. They may have it from Spain; they may have it from Prussia; but, until you become lost to all feeling of your true interest and your natural dignity, freedom they can have from none but you. This is the commodity of price, of which you have the monopoly. This is the true Act of Navigation, which binds to you the commerce of the colonies, and through them secures to you the wealth of the world. Deny them this participation of freedom, and you break that sole bond which originally made, and must still preserve, the unity of the empire. Do not entertain so weak an imagination as that your registers and your bonds, your affidavits and your sufferances, your cockets and your clearances, are what form the great securities of your commerce. Do not dream that your letters of office, and your instructions, and your suspending clauses, are the things that hold together the great contexture of this mysterious whole. These things do not make your government. Dead instruments, passive tools as they are, it is the spirit of the English communion that gives all their life and efficacy to them. It is the spirit of the English Constitution, which, infused through the mighty mass, pervades, feeds, unites, invigorates, vivifies every part of the empire, even down to the minutest member.

Is it not the same virtue which does everything for us here in England?

Do you imagine, then, that it is the Land Tax which raises your revenue? that it is the annual vote in the Committee of Supply which gives you your army? or that it is the Mutiny Bill which inspires it with bravery and discipline? No! surely no! It is the love of the people; it is their attachment to their government, from the sense of the deep stake they have in such a glorious institution, which gives you your army

and your navy, and infuses into both that liberal obedience, without which your army would be a base rabble, and your navy nothing but rotten timber.

All this, I know well enough, will sound wild and chimerical to the profane herd of those vulgar and mechanical politicians, who have no place among us; a sort of people who think that nothing exists but what is gross and material, and who, therefore, far from being qualified to be directors of the great movement of empire are not fit to turn a wheel in the machine. But to men truly initiated and rightly taught, these ruling and master principles, which in the opinion of such men as I have mentioned, have no substantial existence, are, in truth, everything and all in all. Magnanimity in politics is not seldom the truest wisdom; and a great empire and little minds go ill together. If we are conscious of our situation, and glow with zeal to fill our place as becomes our station and ourselves, we ought to auspicate all our public proceeding on America with the old warning of the Church, *sursum corda!* We ought to elevate our minds to the greatness of that trust to which the order of Providence has called us. By adverting to the dignity of this high calling, our ancestors have turned a savage wilderness into a glorious empire, and have made the most extensive and only honorable conquests, not by destroying but by promoting the wealth, the number, the happiness of the human race. Let us get an American revenue as we have got an American empire. English privileges have made it all that it is; English privileges alone will make it all it can be.

In full confidence of this unalterable truth, I now, *quod felix faustumque sit,* lay the first stone in the temple of peace; and I move you,

That the colonies and plantations of Great Britain in North America, consisting of fourteen separate governments and containing two millions and upwards of free inhabitants, have not had the liberty and privilege of electing and sending any knights and burgesses, or others, to represent them in the high court of Parliament.

§ 8

THE ATTEMPT TO SUBJUGATE AMERICA

By William, Viscount Pitt and Earl of Chatham

(Delivered in the House of Lords, November 18th, 1777)

I rise, my lords, to declare my sentiments on this most solemn and serious subject. It has imposed a load upon my mind, which, I fear, nothing can remove; but which impels me to endeavor its alleviation, by a free and unreserved communication of my sentiments.

In the first part of the address, I have the honor of heartily concurring with the noble earl who moved it. No man feels sincerer joy than I do; none can offer more genuine congratulation on every accession of strength to the Protestant succession. I therefore join in every congratulation on the birth of another princess and the happy recovery of her Majesty. But I must stop here. My courtly complaisance will carry me no further. I will not join in congratulation on misfortune and disgrace. I cannot concur in a blind and servile address, which approves and endeavors to sanctify the monstrous measures which have heaped disgrace and misfortune upon us. This, my lords, is a perilous and tremendous moment! It is not a time for adulation. The smoothness of flattery cannot now avail; cannot save us in this rugged and awful crisis. It is now necessary to instruct the throne in the language of truth. We must dispel the delusion and the darkness which envelop it; and display, in its full danger and true colors, the ruin that is brought to our doors.

This, my lords, is our duty. It is the proper function of this noble assemblage, sitting, as we do, upon our honors in this house, the hereditary council of the crown. Who is the minister—where is the minister—that has dared to suggest to the throne the contrary, unconstitutional language this day delivered from it? The accustomed language from the throne has been application to Parliament for advice, and a reliance on its constitutional advice and assistance. As it is the right of Parliament to give, so it is the duty of the crown to ask it. But on this day, and in this extreme momentous exigency, no reliance is reposed on our constitutional counsels! No advice is asked from the sober and enlightened care

William Pitt (First Earl of Chatham). Born at Westminster, London, November 15, 1708; died at Hayes, Kent, May 11, 1778; educated at Trinity College, Oxford; entered Parliament, 1735; in 1756 was made secretary of state; in 1766 became Viscount Pitt and Earl of Chatham.

of Parliament! But the crown, from itself and by itself, declares an unalterable determination to pursue measures. And what measures, my lords? The measures that have produced the imminent perils that threaten us; the measures that have brought ruin to our doors.

Can the minister of the day now presume to expect a continuance of support, in this ruinous infatuation? Can Parliament be so dead to its dignity and its duty, as to be thus deluded into the loss of the one and the violation of the other—to give an unlimited credit and support for the steady perseverance in measures not proposed for our parliamentary advice, but dictated and forced upon us—in measures, I say, my lords, which have reduced this late flourishing empire to ruin and contempt! "But yesterday, and England might have stood against the world; now none so poor to do her reverence." I use the words of a poet; but, though it be poetry, it is no fiction. It is a shameful truth, that not only the power and strength of this country are wasting away and expiring; but her well-earned glories, her true honor, and substantial dignity are sacrificed. France, my lords, has insulted you; she has encouraged and sustained America; and whether America be wrong or right, the dignity of this country ought to spurn at the officious insult of French interference. The ministers and ambassadors of those who are called rebels and enemies are in Paris; in Paris they transact the reciprocal interests of America and France. Can there be a more mortifying insult? Can even our ministers sustain a more humiliating disgrace? Do they dare to resent it? Do they presume even to hint a vindication of their honor and the dignity of the State by requiring the dismission of the plenipotentiaries of America? Such is the degradation to which they have reduced the glories of England! The people whom they affect to call contemptible rebels, but whose growing power has at last obtained the name of enemies; the people with whom they have engaged this country in war, and against whom they now command our implicit support in every measure of desperate hostility: this people, despised as rebels, or acknowledged as enemies, are abetted against you, supplied with every military store, their interests consulted, and their ambassadors entertained, by your inveterate enemy! and our ministers dare not interpose with dignity or effect. Is this the honor of a great kingdom? Is this the indignant spirit of England, who, "but yesterday," gave law to the house of Bourbon? My lords, the dignity of nations demands a decisive conduct in a situation like this. Even when the greatest prince that perhaps this country ever saw filled our throne, the requisition of a Spanish general on a similar subject was attended to and complied with. For, on the spirited remonstrance of the Duke of Alva, Elizabeth found herself obliged to deny the Flemish exiles all countenance, support, or even entrance into her dominions; and the Count

le Marque with his few desperate followers were expelled the kingdom. Happening to arrive at the Brille, and finding it weak in defense, they made themselves masters of the place: and this was the foundation of the United Provinces.

My lords, this ruinous and ignominious situation, where we cannot act with success, nor suffer with honor, calls upon us to remonstrate in the strongest and loudest language of truth, to rescue the ear of majesty from the delusions which surround it. The desperate state of our arms abroad is in part known: no man thinks more highly of them than I do. I love and honor the English troops. I know their virtues and their valor. I know they can achieve anything except impossibilities; and I know that the conquest of English America is an impossibility. You cannot, I venture to say it, you cannot conquer America. Your armies in the last war effected everything that could be effected; and what was it? It cost a numerous army, under the command of a most able general, now a noble lord in this house, a long and laborious campaign, to expel five thousand Frenchmen from French America. My lords, you cannot conquer America. What is your present situation there? We do not know the worst; but we know that in three campaigns we have done nothing and suffered much. Besides the sufferings, perhaps total loss, of the Northern force, the best appointed army that ever took the field, commanded by Sir William Howe, has retired from the American lines. He was obliged to relinquish his attempt, and, with great delay and danger, to adopt a new and distant plan of operations. We shall soon know, and in any event have reason to lament, what may have happened since. As to conquest, therefore, my lords, I repeat, it is impossible. You may swell every expense and every effort still more extravagantly; pile and accumulate every assistance you can buy or borrow; traffic and barter with every little pitiful German prince that sells and sends his subjects to the shambles of a foreign prince; your efforts are forever vain and impotent: doubly so from this mercenary aid on which you rely. For it irritates, to an incurable resentment, the minds of your enemies—to overrun them with the mercenary sons of rapine and plunder; devoting them and their possessions to the rapacity of hireling cruelty! If I were an American, as I am an Englishman, while a foreign troop was landed in my country, I never would lay down my arms—never—never—never!

Your own army is infected with the contagion of these illiberal allies. The spirit of plunder and of rapine is gone forth among them. I know it, and notwithstanding what the noble earl, who moved the address, has given as his opinion of our American army, I know from authentic information, and the most experienced officers, that our discipline is deeply wounded. Whilst this is notoriously our sinking situation, America grows

and flourishes! whilst our strength and discipline are lowered, hers are rising and improving.

But, my lords, who is the man that in addition to these disgraces and mischiefs of our army has dared to authorize and associate to our arms the tomahawk and scalping-knife of the savage? To call into civilized alliance the wild and inhuman savage of the woods; to delegate to the merciless Indian the defense of disputed rights, and to wage the horrors of his barbarous war against our brethren? My lords, these enormities cry aloud for redress and punishment. Unless thoroughly done away, it will be a stain on the national character. It is a violation of the constitution. I believe it is against law. It is not the least of our national misfortunes, that the strength and character of our army are thus impaired. Infected with the mercenary spirit of robbery and rapine; familiarized to the horrid scenes of savage cruelty, it can no longer boast of the noble and generous principles which dignify a soldier; no longer sympathize with the dignity of the royal banner, nor feel the pride, pomp and circumstance of glorious war, "that make ambition virtue!" What makes ambition virtue? The sense of honor. But is the sense of honor consistent with a spirit of plunder or the practice of murder? Can it flow from mercenary motives, or can it prompt to cruel deeds? Besides these murderers and plunderers, let me ask our ministers: What other allies have they acquired? What other powers have they associated to their cause? Have they entered into alliance with the king of the gipsies? Nothing, my lords, is too low or too ludicrous to be consistent with their counsels.

The independent views of America have been stated and asserted as the foundation of this address. My lords, no man wishes for the due dependence of America on this country more than I do. To preserve it, and not confirm that state of independence into which your measures hitherto have driven them, is the object which we ought to unite in attaining. The Americans, contending for their rights against arbitrary exactions, I love and admire. It is the struggle of free and virtuous patriots: but contending for independency and total disconnection from England, as an Englishman, I cannot wish them success. For, in a due constitutional dependency, including the ancient supremacy of this country in regulating their commerce and navigation, consists the mutual happiness and prosperity both of England and America. She derived assistance and protection from us; and we reaped from her the most important advantages. She was, indeed, the fountain of our wealth, the nerve of our strength, the nursery and basis of our naval power. It is our duty, therefore, my lords, if we wish to save our country, most seriously to endeavor the recovery of these most beneficial subjects; and in this perilous crisis,

perhaps the present moment may be the only one in which we can hope for success. For in their negotiations with France they have, or think they have, reason to complain: though it be notorious that they have received from that power important supplies and assistance of various kinds, yet it is certain they expected it in a more decisive and immediate degree. America is in ill humor with France on some points that have not entirely answered her expectations. Let us wisely take advantage of every possible moment of reconciliation. Besides, the natural disposition of America herself still leans towards England; to the old habits of connection and mutual interest that united both countries. This was the established sentiment of all the continent; and still, my lords, in the great and principal part, the sound part of America, this wise and affectionate disposition prevails; and there is a very considerable part of America yet sound—the middle and the southern provinces. Some parts may be factious and blind to their true interests; but if we express a wise and benevolent disposition to communicate with them those immutable rights of nature, and those constitutional liberties, to which they are equally entitled with ourselves; by a conduct so just and humane, we shall confirm the favorable and conciliate the adverse. I say, my lords, the rights and liberties to which they are equally entitled with ourselves, but no more. I would participate to them every enjoyment and freedom which the colonizing subjects of a free State can possess, or wish to possess; and I do not see why they should not enjoy every fundamental right in their property, and every original substantial liberty, which Devonshire or Surrey, or the county I live in, or any other county in England, can claim; reserving always, as the sacred right of the mother country, the due constitutional dependency of the colonies. The inherent supremacy of the State in regulating and protecting the navigation and commerce of all her subjects is necessary for the mutual benefit and preservation of every part, to constitute and preserve the prosperous arrangement of the whole empire.

The sound parts of America, of which I have spoken, must be sensible of these great truths and of their real interests. America is not in that state of desperate and contemptible rebellion which this country has been deluded to believe. It is not a wild and lawless banditti, who, having nothing to lose, might hope to snatch something from public convulsions. Many of their leaders and great men have a great stake in this great contest. The gentleman who conducts their armies, I am told, has an estate of four or five thousand pounds a year, and when I consider these things I cannot but lament the inconsiderate violence of our penal acts, our declarations of treason and rebellion, with all the fatal effects of attainder and confiscation.

As to the disposition of foreign powers, which is asserted to be pacific and friendly, let us judge, my lords, rather by their actions and the nature of things, than by interested assertions. The uniform assistance supplied to America by France suggests a different conclusion. The most important interests of France, in aggrandizing and enriching herself with what she most wants, supplies of every naval store from America, must inspire her with different sentiments. The extraordinary preparations of the house of Bourbon, by land and by sea, from Dunkirk to the Straits, equally ready and willing to overwhelm these defenseless islands, should rouse us to a sense of their real disposition, and our own danger. Not five thousand troops in England! Hardly three thousand in Ireland! What can we oppose to the combined force of our enemies? Scarcely twenty ships of the line fully or sufficiently manned, that any admiral's reputation would permit him to take the command of. The river of Lisbon in the possession of our enemies! The seas swept by American privateers! Our channel trade torn to pieces by them! In this complicated crisis of danger, weakness at home and calamity abroad, terrified and insulted by the neighboring powers, unable to act in America, or acting only to be destroyed, where is the man with the forehead to promise or hope for success in such a situation? or, from perseverance in the measures that have driven us to it? Who has the forehead to do so? Where is that man? I should be glad to see his face.

You cannot conciliate America by your present measures. You cannot subdue her by your present, or by any measures. What, then, can you do? You cannot conquer; you cannot gain; but you can address; you can lull the fears and anxieties of the moment into an ignorance of the danger that should produce them. But, my lords, the time demands the language of truth. We must not now apply the flattering unction of servile compliance or blind complaisance. In a just and necessary war to maintain the rights or honor of my country, I would strip the shirt from my back to support it. But in such a war as this, unjust in its principle, impracticable in its means, and ruinous in its consequences, I would not contribute a single effort, nor a single shilling. I do not call for vengeance on the heads of those who have been guilty; I only recommend to them to make their retreat. Let them walk off; and let them make haste, or they may be assured that speedy and condign punishment will overtake them.

My lords, I have submitted to you, with the freedom and truth which I think my duty, my sentiments on your present awful situation. I have laid before you the ruin of your power, the disgrace of your reputation, the pollution of your discipline, the contamination of your morals, the complication of calamities, foreign and domestic, that overwhelm your sinking country. Your dearest interests, your own liberties, the consti-

tution itself, totters to the foundation. All this disgraceful danger, this multitude of misery, is the monstrous offspring of this unnatural war. We have been deceived and deluded too long. Let us now stop short. This is the crisis—the only crisis of time and situation, to give us a possibility of escape from the fatal effects of our delusions. But if, in an obstinate and infatuated perseverance in folly, we slavishly echo the peremptory words this day presented to us, nothing can save this devoted country from complete and final ruin. We madly rush into multiplied miseries and "confusion worse confounded."

Is it possible, can it be believed, that ministers are yet blind to this impending destruction? I did hope that instead of this false and empty vanity, this overweening pride, engendering high conceits and presumptuous imaginations, that ministers would have humbled themselves in their errors, would have confessed and retracted them, and by an active, though a late repentance, have endeavored to redeem them. But, my lords, since they had neither sagacity to foresee, nor justice nor humanity to shun, these oppressive calamities; since not even severe experience can make them feel, nor the imminent ruin of their country awaken them from their stupefaction, the guardian care of Parliament must interpose. I shall, therefore, my lords, propose to you an amendment to the address to his Majesty, to be inserted immediately after the first two paragraphs of congratulation on the birth of a princess, to recommend an immediate cessation of hostilities and the commencement of a treaty to restore peace and liberty to America, strength and happiness to England, security and permanent prosperity to both countries. This, my lords, is yet in our power; and let not the wisdom and justice of your lordships neglect the happy, and, perhaps, the only, opportunity. By the establishment of irrevocable law, founded on mutual rights, and ascertained by treaty, these glorious enjoyments may be firmly perpetuated. And let me repeat to your lordships, that the strong bias of America, at least of the wise and sounder parts of it, naturally inclines to this happy and constitutional reconnection with you. Notwithstanding the temporary intrigues with France, we may still be assured of their ancient and confirmed partiality to us. America and France cannot be congenial. There is something decisive and confirmed in the honest American that will not assimilate to the futility and levity of Frenchmen.

My lords, to encourage and confirm that innate inclination to this country, founded on every principle of affection, as well as consideration of interest; to restore that favorable disposition into a permanent and powerful reunion with this country; to revive the mutual strength of the empire; again to awe the house of Bourbon, instead of meanly truckling, as our present calamities compel us, to every insult of French caprice and

Spanish punctilio; to reëstablish our commerce; to reassert our rights and our honor; to confirm our interests, and renew our glories forever, a consummation most devoutly to be endeavored! and which, I trust, may yet arise from reconciliation with America; I have the honor of submitting to you the following amendment, which I move to be inserted after the first two paragraphs of the address:

"And that this house does most humbly advise and supplicate his Majesty, to be pleased to cause the most speedy and effectual measures to be taken, for restoring peace in America, and that no time may be lost in proposing an immediate cessation of hostilities there, in order to the opening of a treaty for the final settlement of the tranquillity of these invaluable provinces, by a removal of the unhappy causes of this ruinous civil war; and by a just and adequate security against the return of the like calamities in times to come. And this house desires to offer the most dutiful assurances to his Majesty, that it will, in due time, cheerfully cooperate with the magnanimity and tender goodness of his Majesty, for the preservation of his people, by such explicit and most solemn declarations, and provisions of fundamental and revocable laws, as may be judged necessary for the ascertaining and fixing forever the respective rights of Great Britain and her colonies."

[Lord Suffolk, having defended the employment of the Indians in war, as "a means that *God and nature put into our hands!*" Lord Chatham resumed:]—

I am astonished! shocked! to hear such principles confessed—to hear them avowed in this house, or in this country: principles equally unconstitutional, inhuman and unchristian!

My lords, I did not intend to have encroached again upon your attention; but I cannot repress my indignation. I feel myself impelled by every duty. My lords, we are called upon as members of this house, as men, as Christian men, to protest against such notions standing near the throne, polluting the ear of majesty. "That God and nature put into our hand!" I know not what ideas that lord may entertain of God and nature; but I know that such abominable principles are equally abhorrent to religion and humanity. What! to attribute the sacred sanction of God and nature to the massacres of the Indian scalping knife—to the cannibal savage torturing, murdering, roasting and eating; literally, my lords, eating the mangled victims of his barbarous battles! Such horrible notions shock every precept of religion, divine or natural, and every generous feeling of humanity. And, my lords, they shock every sentiment of honor; they shock me as a lover of honorable war and a detester of murderous barbarity.

These abominable principles, and this more abominable avowal of them, demand the most decisive indignation. I call upon that right reverend bench, those holy ministers of the Gospel and pious pastors of our church; I conjure them to join in the holy work, and vindicate the religion of their God. I appeal to the wisdom and the law of this learned bench, to defend and support the justice of their country. I call upon the bishops to interpose the unsullied sanctity of their lawn; upon the learned judges to interpose the purity of their ermine, to save us from this pollution. I call upon the honor of your lordships to reverence the dignity of your ancestors and to maintain your own. I call upon the spirit and humanity of my country to vindicate the national character. I invoke the genius of the constitution. From the tapestry that adorns these walls, the immortal ancestor of this noble lord frowns with indignation at the disgrace of his country. In vain he led your victorious fleets against the boasted Armada of Spain; in vain he defended and established the honor, the liberties, the religion, the Protestant religion, of this country, against the arbitrary cruelties of Popery and the Inquisition, if these more than popish cruelties and inquisitorial practices are let loose among us; to turn forth into our settlements, among our ancient connections, friends, and relations, the merciless cannibal, thirsting for the blood of man, woman and child! to send forth the infidel savage—against whom? Against your Protestant brethren; to lay waste their country, to desolate their dwellings, and extirpate their race and name, with these horrible hell-hounds of savage war!—hell-hounds, I say, of savage war. Spain armed herself with bloodhounds to extirpate the wretched natives of America; and we improve on the inhuman example even of Spanish cruelty; we turn loose these savage hell-hounds against our brethren and countrymen in America, of the same language, laws, liberties and religion; endeared to us by every tie that should sanctify humanity.

My lords, this awful subject, so important to our honor, constitution, and our religion, demands the most solemn and effectual inquiry. And I again call upon your lordships, and the united powers of the State, to examine it thoroughly and decisively and to stamp upon it an indelible stigma of the public abhorrence. And I again implore those holy prelates of our religion to do away these iniquities from among us. Let them perform a lustration; let them purify this house and this country from this sin.

My lords, I am old and weak, and at present unable to say more; but my feelings and indignation were too strong to have said less. I could not have slept this night in my bed, nor reposed my head on my pillow, without giving this vent to my eternal abhorrence of such preposterous and enormous principles.

§ 9

AGAINST ENGLISH IMPERIALISM

By Henry Grattan

(Delivered in the Irish Parliament, April 19th, 1780, on First Moving "The Declaration of Right.")

Sir, I have entreated an attendance on this day that you might, in the most public manner, deny the claim of the British Parliament to make law for Ireland, and with one voice lift up your hands against it.

If I had lived when the 9th of William took away the woolen manufacture, or when the 6th of George I. declared this country to be dependent and subject to laws to be enacted by the Parliament of England, I should have made a covenant with my own conscience to seize the first moment of rescuing my country from the ignominy of such acts of power; or, if I had a son, I should have administered to him an oath that he would consider himself a person separate and set apart for the discharge of so important a duty; upon the same principle I am now come to move a Declaration of Right, the first moment occurring, since my time, in which such a declaration could be made with any chance of success, and without aggravation of oppression.

Sir, it must appear to every person that, notwithstanding the import of sugar and export of woolens, the people of this country are not satisfied —something remains; the greater work is behind; the public heart is not well at ease. To promulgate our satisfaction; to stop the throats of millions with the votes of Parliament; to preach homilies to the volunteers; to utter invectives against the people, under pretense of affectionate advice, is an attempt, weak, suspicious, and inflammatory.

You cannot dictate to those whose sense you are intrusted to represent; your ancestors, who sat within these walls, lost to Ireland trade and liberty; you, by the assistance of the people, have recovered trade; you still owe the kingdom liberty; she calls upon you to restore it.

The ground of public discontent seems to be: "We have gotten commerce, but not freedom": the same power which took away the export of woolens and the export of glass may take them away again; the repeal is partial, and the ground of repeal is upon a principle of expediency.

Henry Grattan. Born in Dublin, July 3, 1746; died in London, June 14, 1820; graduated from Trinity College, Dublin, 1767; member of English Parliament, 1805 to 1820.

Sir, "expedient" is a word of appropriated and tyrannical import; "expedient" is an ill-omened word, selected to express the reservation of authority, while the exercise is mitigated; "expedient" is the ill-omened expression of the Repeal of the American Stamp Act. England thought it "expedient" to repeal that law; happy had it been for mankind, if, when she withdrew the exercise, she had not reserved the right! To that reservation she owes the loss of her American empire, at the expense of millions, and America the seeking of liberty through a sea of bloodshed. The repeal of the Woolen Act, similarly circumstanced, pointed against the principle of our liberty,—a present relaxation, but tyranny in reserve,—may be a subject for illumination to a populace, or a pretense for apostasy to a courtier, but cannot be the subject of settled satisfaction to a freeborn, intelligent, and injured community. It is therefore they consider the free trade as a trade *de facto,* not *de jure;* as a license to trade under the Parliament of England, not a free trade under the charters of Ireland;—as a tribute to her strength to maintain which she must continue in a state of armed preparation, dreading the approach of a general peace, and attributing all she holds dear to the calamitous condition of the British interest in every quarter of the globe. This dissatisfaction, founded upon a consideration of the liberty we have lost, is increased when they consider the opportunity they are losing; for if this nation, after the death-wound given to her freedom, had fallen on her knees in anguish, and besought the Almighty to frame an occasion in which a weak and injured people might recover their rights, prayer could not have asked, nor God have furnished, a moment more opportune for the restoration of liberty, than this, in which I have the honor to address you.

England now smarts under the lesson of the American War; the doctrine of Imperial legislature she feels to be pernicious; the revenues and monopolies annexed to it she has found to be untenable; she lost the power to enforce it; her enemies are a host, pouring upon her from all quarters of the earth; her armies are dispersed; the sea is not hers; she has no minister, no ally, no admiral, none in whom she long confides, and no general whom she has not disgraced; the balance of her fate is in the hands of Ireland; you are not only her last connection, you are the only nation in Europe that is not her enemy. Besides, there does, of late, a certain damp and spurious supineness overcast her arms and councils, miraculous as that vigor which has lately inspirited yours;—for with you everything is the reverse; never was there a Parliament in Ireland so possessed of the confidence of the people; you are the greatest political assembly now sitting in the world; you are at the head of an immense army; nor do we only possess an unconquerable force, but a certain un-

quenchable public fire, which has touched all ranks of men like a visitation.

Turn to the growth and spring of your country, and behold and admire it; where do you find a nation who, upon whatever concerns the rights of mankind, expresses herself with more truth or force, perspicuity or justice? not the set phrase of scholastic men, not the tame unreality of court addresses, not the vulgar raving of a rabble, but the genuine speech of liberty, and the unsophisticated oratory of a free nation.

See her military ardor, expressed not only in forty thousand men, conducted by instinct as they were raised by inspiration, but manifested in the zeal and promptitude of every young member of the growing community. Let corruption tremble; let the enemy, foreign or domestic, tremble; but let the friends of liberty rejoice at these means of safety and this hour of redemption. Yes; there does exist an enlightened sense of rights, a young appetite for freedom, a solid strength, and a rapid fire, which not only put a declaration of right within your power, but put it out of your power to decline one. Eighteen counties are at your bar; they stand there with the compact of Henry, with the charter of John, and with all the passions of the people. "Our lives are at your service, but our liberties—we received them from God; we will not resign them to man." Speaking to you thus, if you repulse these petitioners, you abdicate the privileges of Parliament, forfeit the rights of the kingdom, repudiate the instruction of your constituents, bilge the sense of your country, palsy the enthusiasm of the people, and reject that good which not a minister, not a Lord North, not a Lord Buckinghamshire, not a Lord Hillsborough, but a certain providential conjuncture, or, rather, the hand of God, seems to extend to you. Nor are we only prompted to this when we consider our strength; we are challenged to it when we look to Great Britain. The people of that country are now waiting to hear the Parliament of Ireland speak on the subject of their liberty; it begins to be made a question in England whether the principal persons wish to be free; it was the delicacy of former Parliaments to be silent on the subject of commercial restrictions, lest they should show a knowledge of the fact, and not a sense of the violation; you have spoken out, you have shown a knowledge of the fact, and not a sense of the violation. On the contrary, you have returned thanks for a partial repeal made on a principle of power; you have returned thanks as for a favor, and your exultation has brought your charters, as well as your spirit, into question, and tends to shake to her foundation your title to liberty; thus you do not leave your rights where you found them. You have done too much not to do more; you have gone too far not to go on; you have brought yourselves into that situation in which you must silently abdicate the

rights of your country, or publicly restore them. It is very true you may feed your manufacturers, and landed gentlemen may get their rents, and you may export woolen, and may load a vessel with baize, serges and kerseys, and you may bring back again directly from the plantations sugar, indigo, speckle-wood, beetle-root and panellas. But liberty, the foundation of trade, the charters of the land, the independency of Parliament, the securing, crowning, and the consummation of everything are yet to come. Without them the work is imperfect, the foundation is wanting, the capital is wanting, trade is not free, Ireland is a colony without the benefit of a charter, and you are a provincial synod without the privileges of a Parliament.

I read Lord North's proposition; I wish to be satisfied, but I am controlled by a paper—I will not call it a law: it is the 6th of George I. [The paper was read.] I will ask the gentlemen of the long robe: Is this the law? I ask them whether it is not practice. I appeal to the judges of the land whether they are not in a course of declaring that the Parliament of Great Britain, naming Ireland, binds her. I appeal to the magistrates of justice whether they do not, from time to time, execute certain acts of the British Parliament. I appeal to the officers of the army whether they do not fine, confine, and execute their fellow-subjects by virtue of the Mutiny Act, an act of the British Parliament; and I appeal to this House whether a country so circumstanced is free. Where is the freedom of trade? Where is the security of property? Where is the liberty of the people? I here, in this Declamatory Act, see my country proclaimed a slave! I see every man in this House enrolled a slave! I see the judges of the realm, the oracles of the law, borne down by an unauthorized foreign power, by the authority of the British Parliament against the law! I see the magistrates prostrate, and I see Parliament witness of these infringements, and silent—silent or employed to preach moderation to the people, whose liberties it will not restore! I therefore say, with the voice of three million people, that, notwithstanding the import of sugar, beetle-wood and panellas, and the export of woolens and kerseys, nothing is safe, satisfactory, or honorable, nothing except a declaration of right. What! are you, with three million men at your back, with charters in one hand and arms in the other, afraid to say you are a free people? Are you, the greatest House of Commons that ever sat in Ireland, that want but this one act to equal that English House of Commons that passed the Petition of Right, or that other that passed the Declaration of Right,—are you afraid to tell that British Parliament you are a free people? Are the cities and the instructing counties, who have breathed a spirit that would have done honor to old Rome when Rome did honor to mankind—are they to be free by connivance? Are the military asso-

ciations, those bodies whose origin, progress and deportment have transcended, or equaled at least, anything in modern or ancient story—is the vast line of the northern army,—are they to be free by connivance? What man will settle among you? Where is the use of the Naturalization Bill? What man will settle among you? who will leave a land of liberty and a settled government for a kingdom controlled by the Parliament of another country, whose liberty is a thing by stealth, whose trade a thing by permission, whose judges deny her charters, whose Parliament leaves everything at random; where the chance of freedom depends upon the hope that the jury shall despise the judge stating a British act, or a rabble stop the magistrate executing it, rescue your abdicated privileges, and save the constitution by trampling on the Government,—by anarchy and confusion!

But I shall be told that these are groundless jealousies, and that the people of the principal cities, and more than one-half of the counties of the kingdom, are misguided men, raising those groundless jealousies. Sir, let me become, on this occasion, the people's advocate, and your historian. The people of this country were possessed of a code of liberty similar to that of Great Britain, but lost it through the weakness of the kingdom and the pusillanimity of its leaders. Having lost our liberty by the usurpation of the British Parliament, no wonder we became a prey to her ministers; and they did plunder us with all the hands of all the harpies, for a series of years, in every shape of power, terrifying our people with the thunder of Great Britain, and bribing our leaders with the rapine of Ireland. The kingdom became a plantation; her Parliament, deprived of its privileges, fell into contempt; and, with the legislature, the law, the spirit of liberty, with her forms, vanished. If a war broke out, as in 1778, and an occasion occurred to restore liberty and restrain rapine, Parliament declined the opportunity; but, with an active servility and trembling loyalty, gave and granted, without regard to the treasure we had left, or the rights we had lost. If a partial reparation was made upon a principle of expediency, Parliament did not receive it with the tranquil dignity of an august assembly, but with the alacrity of slaves.

The principal individuals, possessed of great property but no independency, corrupted by their extravagance, or enslaved by their following a species of English factor against an Irish people, more afraid of the people of Ireland than the tyranny of England, proceeded to that excess, that they opposed every proposition to lessen profusion, extend trade, or promote liberty; they did more, they supported a measure which, at one blow, put an end to all trade; they did more, they brought you to a condition which they themselves did unanimously acknowledge a state of impending ruin; they did this, talking as they are now talking, arguing

against trade as they now argue against liberty, threatening the people of Ireland with the power of the British nation, and imploring them to rest satisfied with the ruins of their trade, as they now implore them to remain satisfied with the wreck of their Constitution.

The people thus admonished, starving in a land of plenty, the victims of two Parliaments, of one that stopped their trade, the other that fed on their Constitution, inhabiting a country where industry was forbidden, or towns swarming with begging manufacturers, and being obliged to take into their own hands that part of government which consists in protecting the subject, had recourse to two measures, which, in their origin, progress, and consequence, are the most extraordinary to be found in any age or in any country, namely, a commercial and military association. The consequence of these measures was instant; the enemy that hung on your shores departed, the Parliament asked for a free trade, and the British nation granted the trade, but withheld the freedom. The people of Ireland are, therefore, not satisfied; they ask for a constitution; they have the authority of the wisest men in this house for what they now demand. What have these walls for this last century resounded? The usurpation of the British Parliament, and the interference of the privy council. Have we taught the people to complain, and do we now condemn their insatiability, because they desire us to remove such grievances, at a time in which nothing can oppose them, except the very men by whom these grievances were acknowledged?

Sir, we may hope to dazzle with illumination, and we may sicken with addresses, but the public imagination will never rest, nor will her heart be well at ease—never! so long as the parliament of England exercises or claims a legislation over this country: so long as this shall be the case, that very free trade, otherwise a perpetual attachment, will be the cause of new discontent; it will create a pride to feel the indignity of bondage; it will furnish a strength to bite your chain, and the liberty withheld will poison the good communicated.

The British minister mistakes the Irish character. Had he intended to make Ireland a slave, he should have kept her a beggar; there is no middle policy; win her heart by the restoration of her right, or cut off the nation's right hand; greatly emancipate, or fundamentally destroy. We may talk plausibly to England, but so long as she exercises a power to bind this country, so long are the nations in a state of war; the claims of the one go against the liberty of the other, and the sentiments of the latter go to oppose those claims to the last drop of her blood. The English opposition, therefore, are right; mere trade will not satisfy Ireland—they judge of us by other great nations, by the nation whose political life has been a struggle for liberty; they judge of us with a true knowledge of, and just

deference for, our character—that a country enlightened as Ireland, chartered as Ireland, armed as Ireland, and injured as Ireland, will be satisfied with nothing less than liberty.

I admire that public-spirited merchant [Alderman Horan], who spread consternation at the Custom House, and, despising the example which great men afforded, determined to try the question, and tendered for entry what the British Parliament prohibits the subject to export, some articles of silk, and sought at his private risk the liberty of his country; with him I am convinced it is necessary to agitate the question of right. In vain will you endeavor to keep it back; the passion is too natural, the sentiment is too irresistible; the question comes on of its own vitality! You must reinstate the laws!

There is no objection to this resolution, except fears; I have examined your fears; I pronounce them to be frivolous. I might deny that the British nation was attached to the idea of binding Ireland; I might deny that England was a tyrant at heart; and I might call to witness the odium of North and the popularity of Chatham, her support of Holland, her contributions to Corsica, and the charters communicated to Ireland; but ministers have traduced England to debase Ireland; and politicians, like priests, represent the power they serve as diabolical, to possess with superstitious fears the victim whom they design to plunder. If England is a tyrant, it is you have made her so; it is the slave that makes the tyrant, and then murmurs at the master whom he himself has constituted. I do allow, on the subject of commerce England was jealous in the extreme, and I do say it was commercial jealousy, it was the spirit of monopoly (the woolen trade and the act of navigation had made her tenacious of a comprehensive legislative authority), and having now ceded that monopoly, there is nothing in the way of your liberty except your own corruption and pusillanimity; and nothing can prevent your being free except yourselves. It is not in the disposition of England; it is not in the interest of England; it is not in her arms. What! can 8,000,000 of Englishmen opposed to 20,000,000 of French, to 7,000,000 of Spanish, to 3,000,000 of Americans, reject the alliance of 3,000,000 in Ireland? Can 8,000,000 of British men, thus outnumbered by foes, take upon their shoulders the expense of an expedition to enslave you? Will Great Britain, a wise and magnanimous country, thus tutored by experience and wasted by war, the French navy riding her Channel, send an army to Ireland, to levy no tax, to enforce no law, to answer no end whatsoever, except to spoliate the charters of Ireland and enforce a barren oppression? What! has England lost thirteen provinces? Has she reconciled herself to this loss, and will she not be reconciled to the liberty of Ireland? Take notice that the very constitution which I move you to declare,

Great Britain herself offered to America; it is a very instructive proceeding in the British history. In 1778 a commission went out, with powers to cede to the thirteen provinces of America, totally and radically, the legislative authority claimed over her by the British Parliament, and the commissioners, pursuant to their powers, did offer to all or any of the American States the total surrender of the legislative authority of the British Parliament. I will read you their letter to the congress.

[Here the letter was read.]

What! has England offered this to the resistance of America, and will she refuse it to the loyalty of Ireland? Your fears, then, are nothing but a habitual subjugation of mind; that subjugation of mind which made you, at first, tremble at every great measure of safety; which made the principal men amongst us conceive the commercial association would be a war; that fear, which made them imagine the military association had a tendency to treason; which made them think a short money bill would be a public convulsion; and yet these measures have not only proved to be useful, but are held to be moderate, and the Parliament that adopted them is praised, not for its unanimity only, but for its temper also. You now wonder that you submitted for so many years to the loss of the woolen trade and the deprivation of the glass trade; raised above your former abject state in commerce, you are ashamed at your past pusillanimity; so when you have summoned a boldness which shall assert the liberties of your country—raised by the act, and reinvested, as you will be, in the glory of your ancient rights and privileges, you will be surprised at yourselves, who have so long submitted to their violation. Moderation is but a relative term; for nations, like men, are only safe in proportion to the spirit they put forth, and the proud contemplation with which they survey themselves. Conceive yourselves a plantation, ridden by an oppressive government, and everything you have done is but a fortunate frenzy; conceive yourselves to be what you are, a great, a growing, and a proud nation, and a declaration of right is no more than the safe exercise of your indubitable authority.

But, though you do not hazard disturbance by agreeing to this resolution, you do most exceedingly hazard tranquillity by rejecting it. Do not imagine that the question will be over when this motion shall be negatived. No; it will recur in a vast variety of shapes and diversity of places. Your constituents have instructed you in great numbers, with a powerful uniformity of sentiment, and in a style not the less awful because full of respect. They will find resources in their own virtue if they have found none in yours. Public pride and conscious liberty, wounded by repulse, will find ways and means of vindication. You are in that situation in

which every man, every hour of the day, may shake the pillars of the State; every court may swarm with the question of right; every quay and wharf with prohibited goods; what shall the judges, what the commissioners, do upon this occasion? Shall they comply with the laws of Ireland, and against the claims of England, and stand firm where you have capitulated? Shall they, on the other hand, not comply, and shall they persist to act against the law? Will you punish them if they do so? Will you proceed against them for not showing a spirit superior to your own? On the other hand, will you not punish them? Will you leave liberty to be trampled on by those men? Will you bring them and yourselves, all constituted orders, executive power, judicial power, and parliamentary authority, into a state of odium, impotence, and contempt; transferring the task of defending public right into the hands of the populace, and leaving it to the judges to break the laws, and to the people to assert them? Such would be the consequence of false moderation, of irritating timidity, of inflammatory palliatives, of the weak and corrupt hope of compromising with the court before you have emancipated the country.

I have answered the only semblance of a solid reason against the motion; I will remove some of lesser pretenses, some minor impediments. For instance: first, that we have a resolution of the same kind already on our journals, it will be said: But how often was the great charter confirmed? Not more frequently than your rights have been violated. Is one solitary resolution, declaratory of your right, sufficient for a country whose history, from the beginning unto the end, has been a course of violation? The fact is, every new breach is a reason for a new repair; every new infringement should be a new declaration, lest charters should be overwhelmed with precedents to their prejudice, a nation's right obliterated, and the people themselves lose the memory of their own freedom.

I shall hear of ingratitude; I name the argument to despise it and the men who make use of it; I know the men who use it are not grateful, they are insatiate; they are public extortioners, who would stop the tide of public prosperity and turn it to the channel of their own emolument; I know of no species of gratitude which should prevent my country from being free, no gratitude which should oblige Ireland to be the slave of England. In cases of robbery and usurpation, nothing is an object of gratitude except the thing stolen, the charter spoliated. A nation's liberty cannot, like her treasures, be meted and parceled out in gratitude; no man can be grateful or liberal of his conscience, nor woman of her honor, nor nation of her liberty; there are certain unimpartable, inherent, invaluable properties, not to be alienated from the person, whether body politic or body natural. With the same contempt do I treat that charge which says that Ireland is insatiable; saying that Ireland asks nothing but

that which Great Britain has robbed her of, her rights and privileges; to say that Ireland will not be satisfied with liberty, because she is not satisfied with slavery, is folly. I laugh at that man who supposes that Ireland will not be content with a free trade and a free constitution; and would any man advise her to be content with less?

I shall be told that we hazard the modification of the Law of Poynings and the Judges' Bill, and the Habeas Corpus Bill, and the Nullum Tempus Bill; but I ask you, have you been for years begging for these little things, and have not you yet been able to obtain them? And have you been contending against a little body of eighty men in Privy Council assembled, convocating themselves into the image of a parliament, and ministering your high office? And have you been contending against one man, an humble individual, to you a Leviathan,—the English Attorney-General,—who advises in the case of Irish bills, and exercises legislation in his own person, and makes your parliamentary deliberations a blank by altering your bills or suppressing them? And have you not yet been able to conquer this little monster? Do you wish to know the reason? I will tell you: because you have not been a parliament, nor your country a people! Do you wish to know the remedy—be a parliament, become a nation, and these things will follow in the train of your consequence! I shall be told that titles are shaken, being vested by force of English acts; but in answer to that, I observe, time may be a title, acquiescence a title, forfeiture a title, but an English act of Parliament certainly cannot; it is an authority, which, if a judge would charge, no jury would find, and which all the electors in Ireland have already disclaimed unequivocally, cordially and universally. Sir, this is a good argument for an act of title, but no argument against a declaration of right. My friend who sits above me [Mr. Yelverton] has a Bill of Confirmation; we do not come unprepared to Parliament. I am not come to shake property, but to confirm property and restore freedom. The nation begins to form; we are molding into a people; freedom asserted, property secured, and the army (a mercenary band) likely to be restrained by law. Never was such a revolution accomplished in so short a time, and with such public tranquillity. In what situation would those men who call themselves friends of constitution and of government have left you? They would have left you without a title, as they state it, to your estates, without an assertion of your constitution, or a law for your army; and this state of unexampled private and public insecurity, this anarchy raging in the kingdom for eighteen months, these mock moderators would have had the presumption to call "peace."

I shall be told that the judges will not be swayed by the resolution of this House. Sir, that the judges will not be borne down by the resolutions

of Parliament, not founded in law, I am willing to believe; but the resolutions of this house, founded in law, they will respect most exceedingly. I shall always rejoice at the independent spirit of the distributers of the law, but must lament that hitherto they have given no such symptom. The judges of the British nation, when they adjudicated against the laws of that country, pleaded precedent and the prostration and profligacy of a long tribe of subservient predecessors, and were punished. The judges of Ireland, if they should be called upon, and should plead sad necessity, the thraldom of the times, and, above all, the silent fears of Parliament, they, no doubt, will be excused. But when your declarations shall have protected them from their fears; when you shall have emboldened the judges to declare the law according to the charter, I make no doubt they will do their duty; and your resolution, not making a new law, but giving new life to the old ones, will be secretly felt and inwardly acknowledged, and there will not be a judge who will not perceive, to the innermost recess of his tribunal, the truth of your charters and the vigor of your justice.

The same laws, the same charters, communicate to both kingdoms, Great Britain and Ireland, the same rights and privileges; and one privilege above them all is that communicated by Magna Charta, by the 25th of Edward III., and by a multitude of other statutes, "not to be bound by any act except made with the archbishops, bishops, earls, barons, and freemen of the commonalty," namely, of the Parliament of the realm. On this right of exclusive legislation are founded the Petition of Right, Bill of Right, Revolution, and Act of Settlement. The King has no other title to his crown than that which you have to your liberty; both are founded, the throne and your freedom, upon the right vested in the subject to resist by arms, notwithstanding the oaths of allegiance, any authority attempting to impose acts of power as laws, whether that authority be one man or a host, the 2nd James, or the British Parliament!

Every argument for the house of Hanover is equally an argument for the liberties of Ireland; the Act of Settlement is an act of rebellion, or the declaratory statute of the 6th of George I. an act of usurpation; for both cannot be law.

I do not refer to doubtful history, but to living record; to common charters; to the interpretation England has put upon these charters —an interpretation not made by words only, but crowned by arms; to the revolution she had formed upon them, to the King she has deposed, and to the King she has established; and, above all, to the oath of allegiance solemnly plighted to the house of Stuart, and afterwards set aside, in the instance of a grave and moral people absolved by virtue of these very charters.

And as anything less than liberty is inadequate to Ireland, so is it

dangerous to Great Britain. We are too near the British nation, we are too conversant with her history, we are too much fired by her example, to be anything less than her equal; anything less, we should be her bitterest enemies—an enemy to that power which smote us with her mace, and to that Constitution from whose blessings we were excluded: to be ground as we have been by the British nation, bound by her Parliament, plundered by her Crown, threatened by her enemies, insulted with her protection, while we return thanks for her condescension, is a system of meanness and misery which has expired in our determination, as I hope it has in her magnanimity.

There is no policy left for Great Britain but to cherish the remains of her empire, and do justice to a country who is determined to do justice to herself, certain that she gives nothing equal to what she received from us when we gave her Ireland.

With regard to this country, England must resort to the free principles of government, and must forego that legislative power which she has exercised to do mischief to herself; she must go back to freedom, which, as it is the foundation of her constitution, so it is the main pillar of her empire; it is not merely the connection of the Crown, it is a constitutional annexation, an alliance of liberty, which is the true meaning and mystery of the sisterhood, and will make both countries one arm and one soul, replenishing from time to time, in their immortal connection, the vital spirit of law and liberty from the lamp of each other's light. Thus, combined by the ties of common interest, equal trade and equal liberty, the constitution of both countries may become immortal, a new and milder empire may arise from the errors of the old, and the British nation assume once more her natural station—the head of mankind.

That there are precedents against us I allow—acts of power I would call them, not precedent; and I answer the English pleading such precedents, as they answered their kings when they urged precedents against the liberty of England: Such things are the weakness of the times; the tyranny of one side, the feebleness of the other, the law of neither; we will not be bound by them; or, rather, in the words of the Declaration of Right: "No doing judgment, proceeding, or anywise to the contrary, shall be brought into precedent or example." Do not then tolerate a power—the power of the British Parliament over this land, which has no foundation in utility or necessity, or empire, or the laws of England, or the laws of Ireland, or the laws of nature, or the laws of God—do not suffer it to have a duration in your mind.

Do not tolerate that power which blasted you for a century, that power which shattered your loom, banished your manufacturers, dishonored your peerage, and stopped the growth of your people; do not, I say, be

bribed by an export of woolen, or an import of sugar, and permit that power which has thus withered the land to remain in your country and have existence in your pusillanimity.

Do not suffer the arrogance of England to imagine a surviving hope in the fears of Ireland; do not send the people to their own resolves for liberty, passing by the tribunals of justice and the high court of Parliament; neither imagine that, by any formation of apology, you can palliate such a commission to your hearts, still less to your children, who will sting you with their curses in your grave for having interposed between them and their Maker, robbing them of an immense occasion, and losing an opportunity which you did not create, and can never restore.

Hereafter, when these things shall be history, your age of thraldom and poverty, your sudden resurrection, commercial redress, and miraculous armament, shall the historian stop at liberty, and observe—that here the principal men among us fell into mimic trances of gratitude—they were awed by a weak ministry, and bribed by an empty treasury—and when liberty was within their grasp, and the temple opened her folding doors, and the arms of the people clanged, and the zeal of the nation urged and encouraged them on, that they fell down, and were prostituted at the threshold?

I might, as a constituent, come to your bar, and demand my liberty. I do call upon you, by the laws of the land and their violation, by the instruction of eighteen counties, by the arms, inspiration, and providence of the present moment, tell us the rule by which we shall go,—assert the law of Ireland,—declare the liberty of the land.

I will not be answered by a public lie, in the shape of an amendment; neither, speaking for the subject's freedom, am I to hear of faction. I wish for nothing but to breathe, in this our island, in common with my fellow-subjects, the air of liberty. I have no ambition, unless it be the ambition to break your chain and contemplate your glory. I never will be satisfied so long as the meanest cottager in Ireland has a link of the British chain clanking to his rags; he may be naked, he shall not be in iron; and I do see the time is at hand, the spirit is gone forth, the declaration is planted; and though great men shall apostatize, yet the cause will live; and though the public speaker should die, yet the immortal fire shall outlast the organ which conveyed it, and the breath of liberty, like the word of the holy man, will not die with the prophet, but survive him.

§ 10

REPLY TO HAYNE

By Daniel Webster

(Delivered in the United States Senate on the Foot Resolution, January 26th, 1830.)

Mr. President: When the mariner has been tossed for many days, in thick weather, and on an unknown sea, he naturally avails himself of the first pause in the storm, the earliest glance of the sun, to take his latitude, and ascertain how far the elements have driven him from his true course. Let us imitate this prudence, and, before we float further on the waves of this debate, refer to the point from which we departed, that we may at least be able to conjecture where we now are. I ask for the reading of the resolution.

The Secretary read the resolution, as follows:—

"*Resolved,* That the Committee on Public Lands be instructed to inquire and report the quantity of public lands remaining unsold within each State and Territory, and whether it be expedient to limit, for a certain period, the sales of the public lands to such lands only as have heretofore been offered for sale, and are now subject to entry at the minimum price. And, also, whether the office of Surveyor General, and some of the land offices, may not be abolished without detriment to the public interest; or whether it be expedient to adopt measures to hasten the sales and extend more rapidly the surveys of the public lands."

We have thus heard, sir, what the resolution is, which is actually before us for consideration; and it will readily occur to everyone that it is almost the only subject about which something has not been said in the speech, running through two days, by which the Senate has been now entertained by the gentleman from South Carolina. Every topic in the wide range of our public affairs, whether past or present—everything, general or local, whether belonging to national politics, or party politics, seems to have attracted more or less of the honorable Member's attention, save only the resolution before the Senate. He has spoken of everything but the public lands. They have escaped his notice. To that subject, in all his excursions, he has not paid even the cold respect of a passing glance.

When this debate, sir, was to be resumed on Thursday morning, it

See page 3.

so happened that it would have been convenient for me to be elsewhere. The honorable Member, however, did not incline to put off the discussion to another day. He had a shot, he said, to return, and he wished to discharge it. That shot, sir, which it was kind thus to inform us was coming, that we might stand out of the way, or prepare ourselves to fall before it, and die with decency, has now been received. Under all advantages, and with expectation awakened by the tone which preceded it, it has been discharged, and has spent its force. It may become me to say no more of its effect than that if nobody is found, after all, either killed or wounded by it, it is not the first time, in the history of human affairs, that the vigor and success of the war have not quite come up to the lofty and sounding phrase of the manifesto.

The gentleman, sir, in declining to postpone the debate, told the Senate, with the emphasis of his hand upon his heart, that there was something rankling here, which he wished to relieve.

[Mr. Hayne rose, and disclaimed having used the word "rankling."]

It would not, Mr. President, be safe for the honorable Member to appeal to those around him upon the question whether he did, in fact, make use of that word. But he may have been unconscious of it. At any rate, it is enough that he disclaims it. But still, with or without the use of that particular word, he had yet something here, he said, of which he wished to rid himself by an immediate reply. In this respect, sir, I have a great advantage over the honorable gentleman. There is nothing here, sir, which gives me the slightest uneasiness; neither fear, nor anger, nor that which is sometimes more troublesome than either,—the consciousness of having been in the wrong. There is nothing, either originating here, or now received here by the gentleman's shot. Nothing original, for I had not the slightest feeling of disrespect or unkindness towards the honorable Member. Some passages, it is true, had occurred since our acquaintance in this body, which I could have wished might have been otherwise; but I had used philosophy and forgotten them. When the honorable Member rose, in his first speech, I paid him the respect of attentive listening; and when he sat down, though surprised, and, I must say, even astonished, at some of his opinions, nothing was further from my intention than to commence any personal warfare: and through the whole of the few remarks I made in answer, I avoided, studiously and carefully, everything which I thought possible to be construed into disrespect. And, sir, while there is thus nothing originating here, which I wished at any time, or now wish to discharge, I must repeat, also, that nothing has been received here which rankles, or in any way gives me annoyance. I will not accuse the hon-

orable Member of violating the rules of civilized war,—I will not say that he poisoned his arrows. But whether his shafts were, or were not, dipped in that which would have caused rankling, if they had reached, there was not, as it happened, quite strength enough in the bow to bring them to their mark. If he wishes now to gather up those shafts, he must look for them elsewhere; they will not be found fixed and quivering in the object at which they were aimed.

The honorable Member complained that I had slept on his speech. I must have slept on it, or not slept at all. The moment the honorable Member sat down, his friend from Missouri rose, and, with much honeyed commendation of the speech, suggested that the impressions which it had produced were too charming and delightful to be disturbed by other sentiments or other sounds, and proposed that the Senate should adjourn. Would it have been quite amiable in me, sir, to interrupt this excellent good feeling? Must I not have been absolutely malicious, if I could have thrust myself forward to destroy sensations thus pleasing? Was it not much better and kinder, both to sleep upon them myself and to allow others also the pleasure of sleeping upon them? But if it be meant, by sleeping upon his speech, that I took time to prepare a reply to it, it is quite a mistake; owing to other engagements I could not employ even the interval between the adjournment of the Senate and its meeting the next morning, in attention to the subject of this debate. Nevertheless, sir, the mere matter of fact is undoubtedly true,—I did sleep on the gentleman's speech; and slept soundly. And I slept equally well on his speech of yesterday, to which I am now replying. It is quite possible that in this respect, also, I possess some advantage over the honorable Member, attributable, doubtless, to a cooler temperament on my part; for, in truth, I slept upon his speeches remarkably well. But the gentleman inquires why he was made the object of such a reply? Why was he singled out? If an attack has been made on the East, he, he assures us, did not begin it,—it was the gentleman from Missouri. Sir, I answered the gentleman's speech because I happened to hear it: and because, also, I chose to give an answer to that speech which, if unanswered, I thought most likely to produce injurious impressions. I did not stop to inquire who was the original drawer of the bill. I found a responsible indorser before me, and it was my purpose to hold him liable, and to bring him to his just responsibility without delay. But, sir, this interrogatory of the honorable Member was only introductory to another. He proceeded to ask me whether I had turned upon him, in this debate, from the consciousness that I should find an overmatch if I ventured on a contest with his friend from Missouri. If, sir, the honorable Member, *ex gratia modestiæ,* had chosen thus to defer to his

friend and to pay him a compliment, without intentional disparagement to others, it would have been quite according to the friendly courtesies of debate, and not at all ungrateful to my own feelings. I am not one of those, sir, who esteem any tribute of regard, whether light and occasional, or more serious and deliberate, which may be bestowed on others, as so much unjustly withholden from themselves. But the tone and manner of the gentleman's question forbid me that I thus interpret it. I am not at liberty to consider it as nothing more than a civility to his friend. It had an air of taunt and disparagement, something of the loftiness of asserted superiority, which does not allow me to pass over it without notice. It was put as a question for me to answer, and so put as if it were difficult for me to answer: Whether I deemed the Member from Missouri an overmatch for myself in debate here. It seems to me, sir, that this is extraordinary language, and an extraordinary tone, for the discussions of this body.

Matches and overmatches! Those terms are more applicable elsewhere than here, and fitter for other assemblies than this. Sir, the gentleman seems to forgot where and what we are. This is a Senate; a Senate of equals: of men of individual honor and personal character, and of absolute independence. We know no masters; we acknowledge no dictators. This is a hall for mutual consultation and discussion; not an arena for the exhibition of champions. I offer myself, sir, as a match for no man; I throw the challenge of debate at no man's feet. But then, sir, since the honorable Member has put the question in a manner that calls for an answer, I will give him an answer; and I tell him that, holding myself to be the humblest of the Members here, I yet know nothing in the arm of his friend from Missouri, either alone, or when aided by the arm of his friend from South Carolina, that need deter even me from espousing whatever opinions I may choose to espouse, from debating whatever I may choose to debate, or from speaking whatever I may see fit to say on the floor of the Senate. Sir, when uttered as matter of commendation or compliment, I should dissent from nothing which the honorable Member might say of his friend. Still less do I put forth any pretensions of my own. But, when put to me as a matter of taunt, I throw it back, and say to the gentleman that he could possibly say nothing less likely than such a comparison to wound my pride of personal character. The anger of its tone rescued the remark from intentional irony, which otherwise probably would have been its general acceptation. But, sir, if it be imagined that by this mutual quotation and commendation; if it be supposed that, by casting the characters of the drama, assigning to each his part; to one the attack, to another the cry of onset; or if it be thought that by a loud and empty vaunt of anticipated victory any

laurels are to be won here; if it be imagined, especially, that any or all these things will shake any purpose of mine, I can tell the honorable Member, once for all, that he is greatly mistaken, and that he is dealing with one of whose temper and character he has yet much to learn. Sir, I shall not allow myself on this occasion, I hope on no occasion, to be betrayed into any loss of temper; but if provoked, as I trust I never shall be, into crimination and recrimination, the honorable Member may perhaps find that, in that contest, there will be blows to take as well as blows to give; that others can state comparisons as significant, at least, as his own; and that his impunity may possibly demand of him whatever powers of taunt and sarcasm he may possess. I commend him to a prudent husbandry of his resources.

But, sir, the coalition! The coalition! Aye, "the murdered coalition"! The gentleman asks if I were led or frightened into this debate by the specter of the coalition,—"Was it the ghost of the murdered coalition," he exclaims, "which haunted the Member from Massachusetts, and which, like the ghost of Banquo, would never down?" "The murdered coalition!" Sir, this charge of a coalition, in reference to the late administration, is not original with the honorable Member. It did not spring up in the Senate. Whether as a fact, as an argument, or as an embellishment, it is all borrowed. He adopts it, indeed, from a very low origin and a still lower present condition. It is one of the thousand calumnies with which the press teemed during an excited political canvass. It was a charge of which there was not only no proof or probability, but which was, in itself, wholly impossible to be true. No man of common information ever believed a syllable of it. Yet it was of that class of falsehoods, which, by continued repetition, through all the organs of detraction and abuse, are capable of misleading those who are already far misled, and of further fanning passion, already kindling into flame. Doubtless it served in its day, and in greater or less degree the end designed by it. Having done that, it has sunk into the general mass of stale and loathed calumnies. It is the very cast-off slough of a polluted and shameless press. Incapable of further mischief, it lies in the sewer, lifeless and despised. It is not now, sir, in the power of the honorable Member to give it dignity or decency by attempting to elevate it, and to introduce it into the Senate. He cannot change it from what it is, an object of general disgust and scorn. On the contrary, the contact, if he choose to touch it, is more likely to drag him down, down, to the place where it lies itself.

But, sir, the honorable Member was not, for other reasons, entirely happy in his allusion to the story of Banquo's murder and Banquo's ghost. It was not, I think, the friends, but the enemies of the mur-

dered Banquo, at whose bidding his spirit would not down. The honorable gentleman is fresh in his reading of the English classics, and can put me right if I am wrong; but, according to my poor recollection, it was at those who had begun with caresses, and ended with foul and treacherous murder, that the gory locks were shaken! The ghost of Banquo, like that of Hamlet, was an honest ghost. It disturbed no innocent man. It knew where its appearance would strike terror, and who would cry out, A ghost! It made itself visible in the right quarter, and compelled the guilty and the conscience-smitten, and none others, to start with—

> "Pr'ythee, see there! behold!—look! lo!
> If I stand here, I saw him!"

Their eyeballs were seared (was it not so, sir?) who had thought to shield themselves by concealing their own hand and laying the imputation of the crime on a low and hireling agency in wickedness; who had vainly attempted to stifle the workings of their own coward consciences by ejaculating, through white lips and chattering teeth: "Thou canst not say I did it!" I have misread the great poet if those who had in no way partaken in the deed of the death either found that they were, or feared that they should be, pushed from their stools by the ghost of the slain, or exclaimed to a specter created by their own fears and their own remorse: "Avaunt! and quit our sight!"

There is another particular, sir, in which the honorable Member's quick perception of resemblances might, I should think, have seen something in the story of Banquo, making it not altogether a subject of the most pleasant contemplation. Those who murdered Banquo, what did they win by it? Substantial good? Permanent power? Or disappointment, rather, and sore mortification;—dust and ashes,—the common fate of vaulting ambition, overleaping itself? Did not even-handed justice ere long commend the poisoned chalice to their own lips? Did they not soon find that for another they had "filed their mind"? that their ambition, though apparently for the moment successful, had but put a barren specter in their grasp? Aye, sir,—

> "A barren scepter in their gripe,
> Thence to be wrenched by an unlineal hand,
> No son of theirs succeeding."

Sir, I need pursue the allusion no further. I leave the honorable gentleman to run it out at his leisure, and to derive from it all the gratification it is calculated to administer. If he find himself pleased with the associations and prepared to be quite satisfied, though the

parallel should be entirely completed, I had almost said, I am satisfied also,—but that I shall think of. Yes, sir, I will think of that.

In the course of my observations the other day, Mr. President, I paid a passing tribute of respect to a very worthy man, Mr. Dane, of Massachusetts. It so happened that he drew the Ordinance of 1787 for the government of the Northwestern Territory. A man of so much ability and so little pretense; of so great a capacity to do good and so unmixed a disposition to do it for its own sake; a gentleman who had acted an important part forty years ago, in a measure the influence of which is still deeply felt in the very matter which was the subject of debate, might, I thought, receive from me a commendatory recognition.

But the honorable Member was inclined to be facetious on the subject. He was rather disposed to make it matter of ridicule that I had introduced into the debate the name of one Nathan Dane, of whom he assures us he had never before heard. Sir, if the honorable Member had never before heard of Mr. Dane, I am sorry for it. It shows him less acquainted with the public men of the country than I had supposed. Let me tell him, however, that a sneer from him at the mention of the name of Mr. Dane is in bad taste. It may well be a high mark of ambition, sir, either with the honorable gentleman or myself, to accomplish as much to make our names known to advantage, and remembered with gratitude, as Mr. Dane has accomplished. But the truth is, sir, I suspect that Mr. Dane lives a little too far north. He is of Massachusetts, and too near the north star to be reached by the honorable gentleman's telescope. If his sphere had happened to range south of Mason and Dixon's line, he might, probably, have come within the scope of his vision!

I spoke, sir, of the Ordinance of 1787, which prohibited slavery in all future times, northwest of the Ohio, as a measure of great wisdom and foresight; and one which had been attended with highly beneficial and permanent consequences. I supposed that on this point no two gentlemen in the Senate could entertain different opinions. But the simple expression of this sentiment has led the gentleman, not only into a labored defense of slavery, in the abstract, and on principle, but, also, into a warm accusation against me, as having attacked the system of domestic slavery now existing in the Southern States. For all this there was not the slightest foundation in anything said or intimated by me. I did not utter a single word which any ingenuity could torture into an attack on the slavery of the South. I said only that it was highly wise and useful in legislating for the northwestern country, while it was yet a wilderness, to prohibit the introduction of slaves; and added that I presumed, in the neighboring State of Kentucky, there was no reflecting

and intelligent gentleman who would doubt that if the same prohibition had been extended at the same early period over that Commonwealth, her strength and population would, at this day, have been far greater than they are. If these opinions be thought doubtful, they are, nevertheless, I trust, neither extraordinary nor disrespectful. They attack nobody and menace nobody. And yet, sir, the gentleman's optics have discovered, even in the mere expression of this sentiment, what he calls the very spirit of the Missouri question! He represents me as making an onset on the whole South, and manifesting a spirit which would interfere with and disturb their domestic condition! Sir, this injustice no otherwise surprises me than as it is committed here, and committed without the slightest pretense of ground for it. I say it only surprises me as being done here; for I know full well that it is, and has been, the settled policy of some persons in the South, for years, to represent the people of the North as disposed to interfere with them in their own exclusive and peculiar concerns. This is a delicate and sensitive point in Southern feeling: and of late years it has always been touched, and generally with effect, whenever the object has been to unite the whole South against Northern men or Northern measures. This feeling, always carefully kept alive, and maintained at too intense a heat to admit discrimination or reflection, is a lever of great power in our political machine. It moves vast bodies, and gives to them one and the same direction. But it is without all adequate cause; and the suspicion which exists wholly groundless. There is not, and never has been, a disposition in the North to interfere with these interests of the South. Such interference has never been supposed to be within the power of government; nor has it been in any way attempted. The slavery of the South has always been regarded as a matter of domestic policy, left with the States themselves, and with which the Federal Government had nothing to do. Certainly, sir, I am, and ever have been of that opinion. The gentleman, indeed, argues that slavery in the abstract is no evil. Most assuredly I need not say I differ with him, altogether and most widely, on that point. I regard domestic slavery as one of the greatest of evils, both moral and political. But though it be a malady, and whether it be curable, and if so, by what means; or, on the other hand, whether it be the *vulnus immedicabile* of the social system, I leave it to those whose right and duty it is to inquire and to decide. And this I believe, sir, is, and uniformly has been, the sentiment of the North. Let us look a little at the history of this matter.

When the present Constitution was submitted for the ratification of the people, there were those who imagined that the powers of the Government which it proposed to establish, might, perhaps, in some possible

mode, be exerted in measures tending to the abolition of slavery. This suggestion would, of course, attract much attention in the Southern conventions. In that of Virginia, Governor Randolph said:—

"I hope there is none here, who, considering the subject in the calm light of philosophy, will make an objection dishonorable to Virginia—that at the moment they are securing the rights of their citizens, an objection is started that there is a spark of hope that those unfortunate men now held in bondage, may, by the operation of the General Government, be made free."

At the very first Congress, petitions on the subject were presented, if I mistake not, from different States. The Pennsylvania society for promoting the abolition of slavery took the lead, and laid before Congress a memorial, praying Congress to promote the abolition by such powers as it possessed. This memorial was referred, in the House of Representatives, to a select committee, consisting of Mr. Foster of New Hampshire, Mr. Gerry of Massachusetts, Mr. Huntington of Connecticut, Mr. Lawrence of New York, Mr. Sinnickson of New Jersey, Mr. Hartley of Pennsylvania, and Mr. Parker of Virginia,—all of them, sir, as you will observe, Northern men, but the last. This committee made a report, which was committed to a committee of the whole house, and there considered and discussed on several days; and being amended, although without material alteration, it was made to express three distinct propositions, on the subject of slavery and the slave trade. First, in the words of the Constitution, that Congress could not, prior to the year 1808, prohibit the migration or importation of such persons as any of the States then existing should think proper to admit. Second, that Congress had authority to restrain the citizens of the United States from carrying on the African slave trade, for the purpose of supplying foreign countries. On this proposition, our early laws against those who engage in that traffic are founded. The third proposition, and that which bears on the present question, was expressed in the following terms:—

"*Resolved,* That Congress have no authority to interfere in the emancipation of slaves, or in the treatment of them in any of the States; it remaining with the several States alone to provide rules and regulations therein, which humanity and true policy may require."

This resolution received the sanction of the House of Representatives so early as March, 1790. And now, sir, the honorable Member will allow me to remind him that not only were the select committee who reported the resolution, with a single exception, all Northern men, but also that of the Members then composing the House of Representatives, a large majority, I believe nearly two-thirds, were Northern men also.

The House agreed to insert these resolutions in its journal; and from that day to this, it has never been maintained or contended that Congress had any authority to regulate or interfere with the condition of slaves in the several States. No Northern gentleman, to my knowledge, has moved any such question in either house of Congress.

The fears of the South, whatever fears they might have entertained, were allayed and quieted by this early decision; and so remained, till they were excited afresh, without cause, but for collateral and indirect purposes. When it became necessary, or was thought so, by some political persons, to find an unvarying ground for the exclusion of Northern men from confidence and from the lead in the affairs of the Republic, then, and not till then, the cry was raised, and the feeling industriously excited, that the influence of Northern men in the public councils would endanger the relation of master and slave. For myself, I claim no other merit than that this gross and enormous injustice towards the whole North has not wrought upon me to change my opinions or my political conduct. I hope I am above violating my principles, even under the smart of injury and false imputations. Unjust suspicions and undeserved reproach, whatever pain I may experience from them, will not induce me, I trust, nevertheless, to overstep the limits of constitutional duty, or to encroach on the rights of others. The domestic slavery of the South I leave where I find it—in the hands of their own governments. It is their affair, not mine. Nor do I complain of the peculiar effect which the magnitude of that population has had in the distribution of power under this Federal Government. We know, sir, that the representation of the States in the other house is not equal. We know that great advantage in that respect is enjoyed by the slaveholding States; and we know, too, that the intended equivalent for that advantage, that is to say, the imposition of direct taxes in the same ratio, has become merely nominal; the habit of the Government being almost invariably to collect its revenue from other sources and in other modes. Nevertheless, I do not complain: nor would I countenance any movement to alter this arrangement of representation. It is the original bargain, the compact—let it stand; let the advantage of it be fully enjoyed. The Union itself is too full of benefit to be hazarded in propositions for changing its original basis. I go for the Constitution as it is, and for the Union as it is. But I am resolved not to submit in silence to accusations, either against myself, individually, or against the North, wholly unfounded and unjust; accusations which impute to us a disposition to evade the constitutional compact, and to extend the power of the Government over the internal laws and domestic condition of the States. All such accusations, wherever and whenever made, all in-

sinuations of the existence of any such purposes, I know and feel to be groundless and injurious. And we must confide in Southern gentlemen themselves; we must trust to those whose integrity of heart and magnanimity of feeling will lead them to a desire to maintain and disseminate truth, and who possess the means of its diffusion with the Southern public; we must leave it to them to disabuse that public of its prejudices. But, in the meantime, for my own part, I shall continue to act justly, whether those towards whom justice is exercised receive it with candor or with contumely.

Having had occasion to recur to the Ordinance of 1787, in order to defend myself against the inferences which the honorable Member has chosen to draw from my former observations on that subject, I am not willing now entirely to take leave of it without another remark. It need hardly be said that that paper expresses just sentiments on the great subject of civil and religious liberty. Such sentiments were common, and abound in all our State papers of that day. But this ordinance did that which was not so common, and which is not, even now, universal; that is, it set forth and declared, as a high and binding duty of government itself, to encourage schools, and advanced the means of education, on the plain reason that religion, morality, and knowledge are necessary to good government and to the happiness of mankind. One observation further. The important provision incorporated into the Constitution of the United States and several of those of the States, and recently, as we have seen, adopted into the reformed constitution of Virginia, restraining legislative power in questions of private right, and from impairing the obligation of contracts, is first introduced and established, as far as I am informed, as matter of express written constitutional law, in this Ordinance of 1787. And I must add, also, in regard to the author of the ordinance, who has not had the happiness to attract the gentleman's notice heretofore, nor to avoid his sarcasm now, that he was chairman of that select committee of the old Congress, whose report first expressed the strong sense of that body, that the old confederation was not adequate to the exigencies of the country, and recommending to the States to send delegates to the convention which formed the present Constitution.

An attempt has been made to transfer from the North to the South the honor of this exclusion of slavery from the Northwestern Territory. The journal, without argument or comment, refutes such attempt. The cession by Virginia was made March, 1784. On the nineteenth of April following, a committee, consisting of Messrs. Jefferson, Chase, and Howell, reported a plan for a temporary government of the Territory, in which was this article: "That, after the year 1800, there

shall be neither slavery, nor involuntary servitude in any of the said States, otherwise than in punishment of crimes, whereof the party shall have been convicted." Mr. Spaight, of North Carolina, moved to strike out this paragraph. The question was put according to the form then practised: "Shall these words stand as part of the plan," etc. New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, and Pennsylvania—seven States, voted in the affirmative. Maryland, Virginia, and South Carolina in the negative. North Carolina was divided. As the consent of nine States was necessary, the words could not stand, and were struck out accordingly. Mr. Jefferson voted for the cause, but was overruled by his colleagues.

In March of the next year (1785), Mr. King, of Massachusetts, seconded by Mr. Ellery, of Rhode Island, proposed the formerly rejected article, with this addition: "And that this regulation shall be an article of compact, and remain a fundamental principle of the constitutions between the thirteen original States, and each of the States described in the resolve," etc. On this clause, which provided the adequate and thorough security, the eight Northern States of that time voted affirmatively, and the four Southern States negatively. The votes of nine States were not yet obtained, and thus the provision was again rejected by the Southern States. The perseverance of the North held out, and two years afterwards the object was attained. It is no derogation from the credit, whatever that may be, of drawing the ordinance, that its principles had before been prepared and discussed in the form of resolutions. If one should reason in that way, what would become of the distinguished honor of the author of the Declaration of Independence? There is not a sentiment in that paper which had not been voted and resolved in the assemblies and other popular bodies in the country over and over again.

But the honorable Member has now found out that this gentleman [Mr. Dane] was a member of the Hartford Convention. However uninformed the honorable Member may be of characters and occurrences at the North, it would seem that he has at his elbow on this occasion some high-minded and lofty spirit, some magnanimous and true-hearted monitor, possessing the means of local knowledge, and ready to supply the honorable Member with everything down even to forgotten and moth-eaten two-penny pamphlets, which may be used to the disadvantage of his own country. But as to the Hartford Convention, sir, allow me to say that the proceedings of that body seem now to be less read and studied in New England than further South. They appear to be looked to, not in New England, but elsewhere, for the purpose of seeing how far they may serve as a precedent. But they will not answer the

purpose—they are quite too tame. The latitude in which they originated was too cold. Other conventions of more recent existence have gone a whole bar's length beyond it. The learned doctors of Colleton and Abbeville have pushed their commentaries on the Hartford collect so far that the original text writers are thrown entirely into the shade. I have nothing to do, sir, with the Hartford Convention. Its journal, which the gentleman has quoted, I never read. So far as the honorable Member may discover in its proceedings a spirit in any degree resembling that which was avowed and justified in those other conventions to which I have alluded, or so far as those proceedings can be shown to be disloyal to the Constitution, or tending to disunion, so far I shall be as ready as anyone to bestow on them reprehension and censure.

Having dwelt long on this convention, and other occurrences of that day, in the hope, probably (which will not be gratified), that I should leave the course of this debate to follow him, at length, in those excursions, the honorable Member returned and attempted another object. He referred to a speech of mine in the other house, the same which I had occasion to allude to myself the other day, and has quoted a passage or two from it with a bold, though uneasy and laboring air of confidence, as if he had detected in me an inconsistency. Judging from the gentleman's manner, a stranger to the course of the debate, and to the point in discussion, would have imagined from so triumphant a tone that the honorable Member was about to overwhelm me with a manifest contradiction. Anyone who heard him, and who had not heard what I had, in fact, previously said, must have thought me routed and discomfited, as the gentleman had promised. Sir, a breath blows all this triumph away. There is not the slightest difference in the sentiments of my remarks on the two occasions. What I said here on Wednesday is in exact accordance with the opinion expressed by me in the other house in 1825. Though the gentleman had the metaphysics of Hudibras, though he were able—

> "To sever and divide
> A hair 'twixt north and northwest side,"—

he yet could not insert his metaphysical scissors between the fair reading of my remarks in 1825 and what I said here last week. There is not only no contradiction, no difference, but, in truth, too exact a similarity, both in thought and language, to be entirely in just taste. I had myself quoted the same speech, had recurred to it, and spoke with it open before me, and much of what I said was little more than a repetition from it. In order to make finishing work with this alleged contradiction, permit me to recur to the origin of this debate and review

its course. This seems expedient and may be done as well now as at any time.

Well, then, its history is this: The honorable Member from Connecticut moved a resolution, which constitutes the first branch of that which is now before us; that is to say, a resolution instructing the committee on public lands to inquire into the expediency of limiting, for a certain period, the sales of the public lands, to such as have heretofore been offered for sale; and whether sundry offices connected with the sales of the lands might not be abolished without detriment to the public service.

In the progress of the discussion which arose on this resolution, an honorable Member from New Hampshire moved to amend the resolution so as entirely to reverse its object; that is to strike it all out and insert a direction to the committee to inquire into the expediency of adopting measures to hasten the sales and extend more rapidly the surveys of the lands.

The honorable Member from Maine, Mr. Sprague, suggested that both those propositions might well enough go for consideration to the committee; and in this state of the question, the Member from South Carolina addressed the Senate in his first speech. He rose, he said, to give us his own free thoughts on the public lands. I saw him rise with pleasure and listened with expectation, though before he concluded I was filled with surprise. Certainly, I was never more surprised than to find him following up, to the extent he did, the sentiments and opinions which the gentleman from Missouri had put forth, and which it is known he has long entertained. I need not repeat at large the general topics of the honorable gentleman's speech. When he said yesterday that he did not attack the Eastern States, he certainly must have forgotten, not only particular remarks, but the whole drift and tenor of his speech; unless he means by not attacking, that he did not commence hostilities, —but that another had preceded him in the attack. He, in the first place, disapproved of the whole course of the Government, for forty years, in regard to its dispositions of the public land; and then turning northward and eastward, and fancying he had found a cause for alleged narrowness and niggardliness in the "accursed policy" of the tariff, to which he represented the people of New England as wedded, he went on for a full hour with remarks, the whole scope of which was to exhibit the results of this policy, in feelings and in measures unfavorable to the West. I thought his opinions unfounded and erroneous as to the general course of the Government, and ventured to reply to them.

The gentleman had remarked on the analogy of other cases, and quoted the conduct of European governments towards their own subjects, set-

tling on this continent, as in point to show that we had been harsh and rigid in selling, when we should have given the public lands to settlers without price. I thought the honorable Member had suffered his judgment to be betrayed by a false analogy; that he was struck with an appearance of resemblance where there was no real similitude. I think so still. The first settlers of North America were enterprising spirits, engaged in private adventure or fleeing from tyranny at home. When arrived here they were forgotten by the mother country, or remembered only to be oppressed. Carried away again by the appearance of analogy, or struck with the eloquence of the passage, the honorable Member yesterday observed that the conduct of Government towards the Western emigrants, or my representation of it, brought to his mind a celebrated speech in the British Parliament. It was, sir, the speech of Colonel Barre. On the question of the Stamp Act, or tea tax, I forget which, Colonel Barre had heard a member on the treasury bench argue that the people of the United States, being British colonists, planted by the maternal care, nourished by the indulgence, and protected by the arms of England, would not grude their mite to relieve the mother country from the heavy burden under which she groaned. The language of Colonel Barre, in reply to this, was: They planted by your care? Your oppression planted them in America. They fled from your tyranny, and grew up by your neglect of them. So soon as you began to care for them, you showed your care by sending persons to spy out their liberties, misrepresent their character, prey upon them and eat out their substance.

And how does the honorable gentleman mean to maintain that language like this is applicable to the conduct of the Government of the United States towards the Western emigrants, or to any representation given by me of that conduct? Were the settlers in the West driven thither by our oppression? Have they flourished only by our neglect of them? Has the Government done nothing but to prey upon them and eat out their substance? Sir, this fervid eloquence of the British speaker, just when and where it was uttered, and fit to remain an exercise for the schools, is not a little out of place when it is brought hence to be applied here to the conduct of our own country towards her own citizens. From America to England, it may be true; from Americans to their own Government it would be strange language. Let us leave it to be recited and declaimed by our boys against a foreign nation; not introduce it here, to recite and declaim ourselves against our own.

But I come to the point of the alleged contradiction. In my remarks on Wednesday I contended that we could not give away gratuitously all

the public lands; that we held them in trust; that the Government had solemnly pledged itself to dispose of them as a common fund for the common benefit, and to sell and settle them as its discretion should dictate. Now, sir, what contradiction does the gentleman find to this sentiment, in the speech of 1825? He quotes me as having then said that we ought not to hug these lands as a very great treasure. Very well, sir, supposing me to be accurately reported in that expression, what is the contradiction? I have not now said that we should hug these lands as a favorite source of pecuniary income. No such thing. It is not my view. What I have said, and what I do say, is that they are a common fund—to be disposed of for the common benefit—to be sold at low prices for the accommodation of settlers, keeping the object of settling the lands as much in view as that of raising money from them. This I say now, and this I have always said. Is this hugging them as a favorite treasure? Is there no difference between hugging and hoarding this fund, on the one hand, as a great treasure, and, on the other, of disposing of it at low prices, placing the proceeds in the general treasury of the Union? My opinion is that as much is to be made of the land as fairly and reasonably may be, selling it all the while at such rates as to give the fullest effect to settlement. This is not giving it all away to the States, as the gentleman would propose; nor is it hugging the fund closely and tenaciously, as a favorite treasure; but it is, in my judgment, a just and wise policy, perfectly according with all the various duties which rest on government. So much for my contradiction. And what is it? Where is the ground for the gentleman's triumph? What inconsistency in word or doctrine has he been able to detect? Sir, if this be a sample of that discomfiture, with which the honorable gentleman threatened me, commend me to the word discomfiture for the rest of my life.

But, after all, this is not the point of the debate, and I must now bring the gentleman back to what is the point.

The real question between me and him is: Has the doctrine been advanced at the South or the East, that the population of the West should be retarded, or at least need not be hastened, on account of its effect to drain off the people from the Atlantic States? Is this doctrine, as has been alleged, of Eastern origin? That is the question. Has the gentleman found anything by which he can make good his accusation? I submit to the Senate, that he has entirely failed; and as far as this debate has shown, the only person who has advanced such sentiments is a gentleman from South Carolina, and a friend to the honorable Member himself. The honorable gentleman has given no answer to this; there is none which can be given. The simple fact, while it requires no comment to

enforce it, defies all argument to refute it. I could refer to the speeches of another Southern gentleman, in years before, of the same general character, and to the same effect, as that which has been quoted; but I will not consume the time of the Senate by the reading of them.

So then, sir, New England is guiltless of the policy of retarding Western population, and of all envy and jealousy of the growth of the new States. Whatever there be of that policy in the country, no part of it is hers. If it has a local habitation, the honorable Member has probably seen, by this time, where to look for it; and if it now has received a name, he has himself christened it.

We approach, at length, sir, to a more important part of the honorable gentleman's observations. Since it does not accord with my views of justice and policy to give away the public lands altogether, as mere matter of gratuity, I am asked by the honorable gentleman on what ground it is that I consent to vote them away in particular instances? How, he inquires, do I reconcile with these professed sentiments my support of measures appropriating portions of the lands to particular roads, particular canals, particular rivers, and particular institutions of education in the West? This leads, sir, to the real and wide difference, in political opinion, between the honorable gentleman and myself. On my part, I look upon all these objects as connected with the common good, fairly embraced in its object and its terms; he, on the contrary, deems them all, if good at all, only local good. This is our difference. The interrogatory which he proceeded to put at once explains this difference. "What interest," asks he, "has South Carolina in a canal in Ohio?" Sir, this very question is full of significance. It develops the gentleman's whole political system; and its answer expounds mine. Here we differ. I look upon a road over the Alleghany, a canal round the falls of the Ohio, or a canal or railway from the Atlantic to the Western waters, as being an object large and extensive enough to be fairly said to be for the common benefit. The gentleman thinks otherwise, and this is the key to open his construction of the powers of the Government. He may well ask: What interest has South Carolina in a canal in Ohio? On his system, it is true, she has no interest. On that system, Ohio and Carolina are different governments and different countries; connected here, it is true, by some slight and ill-defined bond of union, but, in all main respects, separate and diverse. On that system, Carolina has no more interest in a canal in Ohio than in Mexico. The gentleman, therefore, only follows out his own principles; he does no more than arrive at the natural conclusions of his own doctrines; he only announces the true results of that creed, which he has adopted himself, and would persuade others to adopt, when he thus declares that South Carolina

has no interest in a public work in Ohio. Sir, we narrow-minded people of New England do not reason thus. Our notion of things is entirely different. We look upon the States, not as separated, but as united. We love to dwell on that union, and on the mutual happiness which it has so much promoted, and the common renown which it has so greatly contributed to acquire. In our contemplation, Carolina and Ohio are parts of the same country; States, united under the same General Government, having interests, common, associated, intermingled. In whatever is within the proper sphere of the constitutional power of this Government, we look upon the States as one. We do not impose geographical limits to our patriotic feeling or regard; we do not follow rivers and mountains, and lines of latitude, to find boundaries beyond which public improvements do not benefit us. We who come here as agents and representatives of these narrow-minded and selfish men of New England consider ourselves as bound to regard, with an equal eye, the good of the whole, in whatever is within our power of legislation. Sir, if a railroad or canal, beginning in South Carolina and ending in South Carolina, appeared to me to be of national importance and national magnitude, believing, as I do, that the power of Government extends to the encouragement of works of that description, if I were to stand up here, and ask: What interest has Massachusetts in a railroad in South Carolina? I should not be willing to face my constituents. These same narrow-minded men would tell me that they had sent me to act for the whole country, and that one who possessed too little comprehension, either of intellect or feeling; one who was not large enough, both in mind and in heart, to embrace the whole, was not fit to be intrusted with the interest of any part. Sir, I do not desire to enlarge the powers of the Government, by unjustifiable construction; nor to exercise any not within a fair interpretation. But when it is believed that a power does exist, then it is, in my judgment, to be exercised for the general benefit of the whole. So far as respects the exercise of such a power, the States are one. It was the very object of the Constitution to create unity of interests to the extent of the powers of the General Government. In war and peace we are one; in commerce, one; because the authority of the General Government reaches to war and peace, and to the regulation of commerce. I have never seen any more difficulty in erecting lighthouses on the lakes than on the ocean; in improving the harbors of inland seas than if they were within the ebb and flow of the tide; or of removing obstructions in the vast streams of the West more than in any work to facilitate commerce on the Atlantic coast. If there be any power for one, there is power also for the other; and they are all and equally for the common good of the country.

There are other objects apparently more local, or the benefit of which is less general, towards which, nevertheless, I have concurred with others, to give aid, by donations of land. It is proposed to construct a road, in or through one of the new States, in which this Government possesses large quantities of land. Have the United States no right, or, as a great and untaxed proprietor, are they under no obligation to contribute to an object thus calculated to promote the common good of all the proprietors, themselves included? And even with respect to education, which is the extreme case, let the question be considered. In the first place, as we have seen, it was made matter of compact with these States, that they should do their part to promote education. In the next place, our whole system of land laws proceeds on the idea that education is for the common good; because, in every division, a certain portion is uniformly reserved and appropriated for the use of schools. And, finally, have not these new States singularly strong claims, founded on the ground already stated, that the Government is a great untaxed proprietor, in the ownership of the soil? It is a consideration of great importance, that, probably, there is in no part of the country, or of the world, so great call for the means of education as in those new States,—owing to the vast numbers of persons within those ages in which education and instruction are usually received, if received at all. This is the natural consequence of recency of settlement and rapid increase. The census of these States shows how great a proportion of the whole population occupies the classes between infancy and manhood. These are the wide fields, and here is the deep and quick soil for the seeds of knowledge and virtue; and this is the favored season, the very springtime for sowing them. Let them be disseminated without stint. Let them be scattered with a bountiful broadcast. Whatever the Government can fairly do towards these objects, in my opinion, ought to be done.

These, sir, are the grounds succinctly stated on which my votes for grants of lands for particular objects rest; while I maintain, at the same time, that it is all a common fund for the common benefit. And reasons like these, I presume, have influenced the votes of other gentlemen from New England! Those who have a different view of the powers of the Government, of course, come to different conclusions on these as on other questions. I observed, when speaking on this subject before, that, if we looked to any measure, whether for a road, a canal, or anything else, intended for the improvement of the West, it would be found that, if the New England ayes were struck out of the lists of votes, the Southern noes would always have rejected the measure. The truth of this has not been denied and cannot be denied. In stating this, I thought it just to ascribe it to the constitutional scruples of the South rather than

to any other less favorable or less charitable cause. But no sooner had I done this, than the honorable gentleman asks if I reproach him and his friends with their constitutional scruples. Sir, I reproach nobody. I stated a fact and gave the most respectful reason for it that occurred to me. The gentleman cannot deny the fact; he may, if he choose, disclaim the reason. It is not long since I had occasion, in presenting a petition from his own State, to account for its being intrusted to my hands, by saying that the constitutional opinions of the gentleman and his worthy colleagues prevented them from supporting it. Sir, did I state this as a matter of reproach? Far from it. Did I attempt to find any other cause than an honest one for these scruples? Sir, I did not. It did not become me to doubt or to insinuate that the gentleman had either changed his sentiments or that he had made up a set of constitutional opinions, accommodated to any particular combination of political occurrences. Had I done so, I should have felt that while I was entitled to little credit in thus questioning other people's motives, I justified the whole world in suspecting my own. But how has the gentleman returned this respect for others' opinions? His own candor and justice, how have they been exhibited towards the motives of others, while he has been at so much pains to maintain, what nobody has disputed, the purity of his own? Why, sir, he has asked when, and how, and why, New England votes were found going for measures favorable to the West? He has demanded to be informed whether all this did begin in 1825, and while the election of President was still pending? Sir, to these questions retort would be justified; and it is both cogent, and at hand. Nevertheless, I will answer the inquiry, not by retort, but by facts. I will tell the gentleman when, and how, and why, New England has supported measures favorable to the West. I have already referred to the early history of the Government—to the first acquisition of the lands—to the original laws for disposing of them, and for governing the Territories where they lie; and have shown the influence of New England men and New England principles in all these leading measures. I should not be pardoned were I to go over that ground again. Coming to more recent times, and to measures of a less general character, I have endeavored to prove that everything of this kind, designed for Western improvement, has depended on the votes of New England; and this is true beyond the power of contradiction.

And now, sir, there are two measures to which I will refer, not so ancient as to belong to the early history of the public lands, and not so recent as to be on this side of the period when the gentleman charitably imagines a new direction may have been given to New England feeling and New England votes. These measures, and the New England votes

in support of them, may be taken as samples and specimens of all the rest.

In 1820 (observe, Mr. President, in 1820), the people of the West besought Congress for a reduction in the price of lands. In favor of that reduction, New England, with a delegation of forty Members in the other house, gave thirty-three votes, and one only against it. The four Southern States, with fifty Members, gave thirty-two votes for it and seven against it. Again, in 1821 (observe again, sir, the time), the law passed for the relief of the purchasers of the public lands. This was a measure of vital importance to the West, and more especially to the Southwest. It authorized the relinquishment of contracts for lands, which had been entered into at high prices, and a reduction in other cases of not less than thirty-seven and one-half per cent. on the purchase money. Many millions of dollars—six or seven, I believe, at least, probably much more—were relinquished by this law. On this bill, New England, with her forty Members, gave more affirmative votes than the four Southern States, with their fifty-two or three Members.

These two are far the most important general measures respecting the public lands, which have been adopted within the last twenty years. They took place in 1820 and 1821. That is the time "when." As to the manner "how," the gentleman already sees that it was by voting, in solid column, for the required relief: and lastly, as to the cause "why," I tell the gentleman, it was because the Members from New England thought the measures just and salutary; because they entertained towards the West neither envy, hatred, nor malice; because they deemed it becoming them, as just and enlightened public men, to meet the exigency which had arisen in the West, with the appropriate measure of relief; because they felt it due to their own characters, and the characters of their New England predecessors in this Government, to act towards the new States in the spirit of a liberal, patronizing, magnanimous policy. So much, sir, for the cause "why"; and I hope that by this time, sir, the honorable gentleman is satisfied; if not, I do not know "when," or "how," or "why," he ever will be.

Having recurred to these two important measures, in answer to the gentleman's inquiries, I must now beg permission to go back to a period yet sometime earlier, for the purpose of still further showing how much, or rather how little, reason there is for the gentleman's insinuation that political hopes or fears, or party associations, were the grounds of these New England votes. And after what has been said, I hope it may be forgiven me, if I allude to some political opinions and votes of my own, of very little public importance, certainly, but

which, from the time at which they were given and expressed, may pass for good witnesses on this occasion.

This Government, Mr. President, from its origin to the peace of 1815, had been too much engrossed with various other important concerns to be able to turn its thoughts inward, and look to the development of its vast internal resources. In the early part of President Washington's administration, it was fully occupied with completing its own organization, providing for the public debt, defending the frontiers, and maintaining domestic peace. Before the termination of that administration, the fires of the French Revolution blazed forth, as from a new-opened volcano, and the whole breadth of the ocean did not secure us from its effects. The smoke and the cinders reached us, though not the burning lava. Difficult and agitating questions, embarrassing to Government, and dividing public opinion, sprang out of the new state of our foreign relations, and were succeeded by others, and yet again by others, equally embarrassing, and equally exciting division and discord, through the long series of twenty years, till they finally issued in the war with England. Down to the close of that war, no distinct, marked, and deliberate attention had been given, or could have been given, to the internal condition of the country, its capacities of improvement, or the constitutional power of the Government, in regard to objects connected with such improvement.

The peace, Mr. President, brought about an entirely new and a most interesting state of things; it opened to us other prospects, and suggested other duties. We ourselves were changed, and the whole world was changed. The pacification of Europe, after June 1815, assumed a firm and permanent aspect. The nations evidently manifested that they were disposed for peace. Some agitation of the waves might be expected, even after the storm had subsided, but the tendency was, strongly and rapidly, towards settled repose.

It so happened, sir, that I was, at that time, a Member of Congress, and, like others, naturally turned my attention to the contemplation of the newly-altered condition of the country and of the world. It appeared plainly enough to me, as well as to wiser and more experienced men, that the policy of the Government would naturally take a start in a new direction, because new directions would necessarily be given to the pursuits and occupations of the people. We had pushed our commerce far and fast, under the advantage of a neutral flag. But there were now no longer flags, either neutral or belligerent. The harvest of neutrality had been great, but we had gathered it all. With the peace of Europe, it was obvious there would spring up in her circle of nations, a revived and invigorated spirit of trade, and a new activity in all the business

and objects of civilized life. Hereafter, our commercial gains were to be earned only by success, in a close and intense competition. Other nations would produce for themselves, and carry for themselves, and manufacture for themselves, to the full extent of their abilities. The crops of our plains would no longer sustain European armies, nor our ships longer supply those whom war had rendered unable to supply themselves. It was obvious that, under these circumstances, the country would begin to survey itself and to estimate its own capacity of improvement. And this improvement—how was it to be accomplished, and who was to accomplish it? We were ten or twelve millions of people, spread over almost half a world. We were more than twenty States, some stretching along the same seaboard, some along the same line of inland frontier, and others on opposite banks of the same vast rivers. Two considerations at once presented themselves, in looking at this state of things, with great force. One was that that great branch of improvement, which consisted in furnishing new facilities of intercourse, necessarily ran into different States, in every leading instance, and would benefit the citizens of all such States. No one State, therefore, in such cases, would assume the whole expense, nor was the coöperation of several States to be expected. Take the instance of the Delaware breakwater. It will cost several millions of money. Would Pennsylvania alone ever have constructed it? Certainly never, while this Union lasts, because it is not for her sole benefit. Would Pennsylvania, New Jersey, and Delaware have united to accomplish it, at their joint expense? Certainly not, for the same reason. It could not be done, therefore, but by the General Government. The same may be said of the large inland undertakings, except that, in them, Government, instead of bearing the whole expense, coöperates with others who bear a part. The other consideration is, that the United States have the means. They enjoy the revenues derived from commerce, and the States have no abundant and easy sources of public income. The customhouses fill the general treasury, while the States have scanty resources, except by resort to heavy direct taxes.

Under this view of things I thought it necessary to settle, at least for myself, some definite notions with respect to the powers of the Government in regard to internal affairs. It may not savor too much of self-commendation to remark that with this object I considered the Constitution, its judicial construction, its cotemporaneous exposition, and the whole history of the legislation of Congress under it; and I arrived at the conclusion that Government had power to accomplish sundry objects, or aid in their accomplishment, which are now commonly spoken of as internal improvements. That conclusion, sir, may have been right,

or it may have been wrong. I am not about to argue the grounds of it at large. I say only that it was adopted and acted on even so early as in 1816. Yet, Mr. President, I made up my opinion, and determined on my intended course of political conduct on these subjects in the fourteenth Congress in 1816. And now, Mr. President, I have further to say that I made up these opinions, and entered on this course of political conduct *Teucro duce*. Yes, sir, I pursued in all this a South Carolina track, on the doctrines of internal improvement. South Carolina, as she was then represented in the other house, set forth, in 1816, under a fresh and leading breeze, and I was among the followers. But if my leader sees new lights, and turns a sharp corner, unless I see new lights also, I keep straight on in the same path. I repeat that leading gentlemen from South Carolina were first and foremost in behalf of the doctrines of internal improvements, when those doctrines came first to be considered and acted upon in Congress. The debate on the bank question, on the tariff of 1816, and on the direct tax, will show who was who, and what was what at that time. The tariff of 1816, one of the plain cases of oppression and usurpation, from which, if the Government does not recede, individual States may justly secede from the Government, is, sir, in truth, a South Carolina tariff, supported by South Carolina votes. But for those votes it could not have passed in the form in which it did pass; whereas, if it had depended on Massachusetts votes, it would have been lost. Does not the honorable gentleman well know all this? There are certainly those who do, full well, know it all. I do not say this to reproach South Carolina. I only state the fact; and I think it will appear to be true, that among the earliest and boldest advocates of the tariff, as a measure of protection, and on the express ground of protection, were leading gentlemen of South Carolina in Congress. I did not then, and cannot now, understand their language in any other sense. While this tariff of 1816 was under discussion in the House of Representatives, an honorable gentleman from Georgia, now of this House, Mr. Forsyth, moved to reduce the proposed duty on cotton. He failed by four votes, South Carolina giving three votes (enough to have turned the scale) against his motion. The act, sir, then passed, and received on its passage the support of a majority of the Representatives of South Carolina present and voting. This act is the first, in the order of those now denounced as plain usurpations. We see it daily, in the list by the side of those of 1824 and 1828, as a case of manifest oppression, justifying disunion. I put it home to the honorable Member from South Carolina that his own State was not only "art and part" in this measure, but the *causa causans*. Without her aid this seminal principle of mischief, this root of the Upas, could

not have been planted. I have already said, and it is true, that this act proceeded on the ground of protection. It interfered directly with existing interests of great value and amount. It cut up the Calcutta cotton trade by the roots, but it passed, nevertheless, and it passed on the principle of protecting manufactures, on the principle against free trade, on the principle opposed to that which lets us alone.

Such, Mr. President, were the opinions of important and leading gentlemen from South Carolina on the subject of internal improvements in 1816. I went out of Congress the next year; and returning again in 1823, thought I found South Carolina where I had left her. I really supposed that all things remained as they were, and that the South Carolina doctrine of internal improvements would be defended by the same eloquent voices and the same strong arms as formerly. In the lapse of these six years, it is true, political associations had assumed a new aspect and new divisions. A party has arisen in the South hostile to the doctrine of internal improvements, and had vigorously attacked that doctrine. Anti-consolidation was the flag under which this party fought; and its supporters inveighed against internal improvements much after the manner in which the honorable gentleman has now inveighed against them, as part and parcel of the system of consolidation. Whether this party arose in South Carolina herself, or in her neighborhood, is more than I know. I think the latter. However that may have been, there were those found in South Carolina ready to make war upon it, and who did make intrepid war upon it. Names being regarded as things, in such controversies, they bestowed on the anti-improvement gentlemen the appellation of Radicals. Yes, sir, the appellation of Radicals, as a term of distinction, applicable and applied to those who denied the liberal doctrines of internal improvements, originated, according to the best of my recollection, somewhere between North Carolina and Georgia. Well, sir, these mischievous Radicals were to be put down, and the strong arm of South Carolina was stretched out to put them down. About this time, sir, I returned to Congress. The battle with the Radicals had been fought, and our South Carolina champions of the doctrines of internal improvement had nobly maintained their ground and were understood to have achieved a victory. We looked upon them as conquerors. They had driven back the enemy with discomfiture,—a thing, by the way, sir, which is not always performed when it is promised. A gentleman, to whom I have already referred in this debate, had come into Congress during my absence from it, from South Carolina, and had brought with him a high reputation for ability. He came from a school with which we had been acquainted *et noscitur a sociis*. I hold in my hand, sir, a printed speech of this distinguished gentleman [Mr.

McDuffie], "on internal improvements," delivered about the period to which I now refer, and printed with a few introductory remarks upon consolidation; in which, sir, I think he quite consolidated the arguments of his opponents, the Radicals, if to crush be to consolidate. I give you a short, but substantive quotation from these remarks. He is speaking of a pamphlet, then recently published, entitled "Consolidation"; and having alluded to the question of renewing the charter of the former Bank of the United States, he says:—

"Moreover in the early history of parties, and when Mr. Crawford advocated a renewal of the old charter, it was considered a Federal measure; which internal improvements never was, as this author erroneously states. This latter measure originated in the administration of Mr. Jefferson, with the appropriation for the Cumberland road; and was first proposed, as a system, by Mr. Calhoun, and carried through the House of Representatives by a large majority of the Republicans, including almost everyone of the leading men who carried us through the late war."

So, then, internal improvement is not one of the Federal heresies. One paragraph more, sir:—

"The author in question, not content with denouncing as Federalists, General Jackson, Mr. Adams, Mr. Calhoun, and the majority of the South Carolina delegation in Congress, modestly extends the denunciation to Mr. Monroe and the whole Republican party. Here are his words: 'During the administration of Mr. Monroe much has passed which the Republican party would be glad to approve if they could. But the principal feature, and that which has chiefly elicited these observations, is the renewal of the system of internal improvements.' Now this measure was adopted by a vote of one hundred and fifteen to eighty-six, of a Republican Congress, and sanctioned by a Republican President. Who, then, is this author—who assumes the high prerogative of denouncing, in the name of the Republican party, the Republican administration of the country? A denunciation including within its sweep, Calhoun, Lowndes, and Cheves,—men who will be regarded as the brightest ornaments of South Carolina, and the strongest pillars of the Republican party, as long as the late war shall be remembered, and talents and patriotism shall be regarded as the proper objects of the admiration and gratitude of a free people."

Such are the opinions, sir, which were maintained by South Carolina gentlemen, in the House of Representatives, on the subject of internal improvements, when I took my seat there as a Member from Massachusetts in 1823. But this is not all. We had a bill before us, and passed it in that house, entitled: "An act to procure the necessary surveys, plans, and estimates upon the subject of roads and canals." It

authorized the President to cause surveys and estimates to be made of the routes of such roads and canals as he might deem of national importance, in a commercial or military point of view, or for the transportation of the mail, and appropriated thirty thousand dollars out of the Treasury to defray the expense. This act, though preliminary in its nature, covered the whole ground. It took for granted the complete power of internal improvement as far as any of its advocates had ever contended for it. Having passed the other house, the bill came up to the Senate, and was here considered and debated in April 1824. The honorable Member from South Carolina was a member of the Senate at that time. While the bill was under consideration here, a motion was made to add the following proviso:—

"*Provided,* That nothing herein contained shall be construed to affirm or admit a power in Congress, on their own authority, to make roads or canals within any of the States of the Union."

The yeas and nays were taken on this proviso and the honorable Member voted in the negative! The proviso failed.

A motion was then made to add this proviso, namely:—

"*Provided,* That the faith of the United States is hereby pledged, that no money shall ever be expended for roads or canals, except it shall be among the several States and in the same proportion as direct taxes are laid and assessed by the provisions of the Constitution."

The honorable Member voted against this proviso, also, and it failed. The bill was then put on its passage and the honorable Member voted for it, and it passed and became a law.

Now, it strikes me, sir, that there is no maintaining these votes, but upon the power of internal improvement, in its broadest sense. In truth, these bills for surveys and estimates have always been considered as test questions—they show who is for and who against internal improvement. This law itself went the whole length and assumed the full and complete power. The gentleman's votes sustained that power in every form in which the various propositions to amend presented it. He went for the entire and unrestrained authority without consulting the States, and without agreeing to any proportionate distribution. And now suffer me to remind you, Mr. President, that it is this very same power thus sanctioned in every form by the gentleman's own opinion that is so plain and manifest a usurpation that the State of South Carolina is supposed to be justified in refusing submission to any laws carrying the power into effect. Truly, sir, is not this a little too hard? 'May we not crave

some mercy under favor and protection of the gentleman's own authority? Admitting that a road, or a canal, must be written down flat usurpation as was ever committed, may we find no mitigation in our respect for his place and his vote as one that knows the law?

The tariff, which South Carolina had an efficient hand in establishing, in 1816, and this asserted power of internal improvement, advanced by her in the same year, and, as we have seen, approved and sanctioned by her representatives in 1824, these two measures are the great grounds on which she is now thought to be justified in breaking up the Union, if she sees fit to break it up!

I may now safely say, I think, that we have had the authority of leading and distinguished gentlemen from South Carolina, in support of the doctrine of internal improvement. I repeat that, up to 1824, I for one, followed South Carolina; but, when that star, in its ascension, veered off, in an unexpected direction, I relied on its light no longer.

[Here the Vice-President, Mr. Calhoun, said: "Does the chair understand the gentleman from Massachusetts to say that the person now occupying the chair of the Senate has changed his opinions on the subject of internal improvements?"]

From nothing ever said to me, sir, have I had reason to know of any change in the opinions of the person filling the chair of the Senate. If such change has taken place, I regret it. I speak generally of the State of South Carolina. Individuals, we know there are, who hold opinions favorable to the power. An application for its exercise, in behalf of a public work in South Carolina itself, is now pending, I believe, in the other house, presented by Members from that State.

I have thus, sir, perhaps, not without some tediousness of detail, shown that if I am in error, on the subject of internal improvement, how, and in what company, I fell into that error. If I am wrong, it is apparent who misled me.

I go to other remarks of the honorable Member; and I have to complain of an entire misapprehension of what I said on the subject of the national debt, though I can hardly perceive how anyone could misunderstand me. What I said was, not that I wished to put off the payment of the debt, but, on the contrary, that I had always voted for every measure for its reduction, as uniformly as the gentleman himself. He seems to claim the exclusive merit of a disposition to reduce the public charge. I do not allow it to him. As a debt, I was, I am for paying it, because it is a charge on our finances and on the industry of the country. But I observed that I thought I perceived a morbid fervor on that subject—an excessive anxiety to pay off the debt, not so

much because it is a debt simply, as because, while it lasts, it furnishes one objection to disunion. It is a tie of common interest, while it continues. I did not impute such motives to the honorable Member himself; but that there is such a feeling in existence, I have not a particle of doubt. The most I said was that if one effect of the debt was to strengthen our Union, that effect itself was not regretted by me, however much others might regret it. The gentleman has not seen how to reply to this otherwise than by supposing me to have advanced the doctrine that a national debt is a national blessing. Others, I must hope, will find much less difficulty in understanding me. I distinctly and pointedly cautioned the honorable Member not to understand me as expressing an opinion favorable to the continuance of the debt. I repeated this caution, and repeated it more than once; but it was thrown away.

On yet another point, I was still more unaccountably misunderstood. The gentleman had harangued against "consolidation." I told him, in reply, that there was one kind of consolidation to which I was attached, and that was the consolidation of our Union; and that this was precisely that consolidation to which I feared others were not attached. That such consolidation was the very end of the Constitution—the leading object, as they had informed us themselves, which its framers had kept in view. I turned to their communication, and read their very words—"the consolidation of the Union"—and expressed my devotion to this sort of consolidation. I said in terms, that I wished not, in the slightest degree, to augment the powers of this Government; that my object was to preserve, not to enlarge; and that by consolidating the Union, I understood no more than the strengthening of the Union, and perpetuating it. Having been thus explicit; having thus read from the printed book the precise words which I adopted, as expressing my own sentiments, it passes comprehension how any man could understand me as contending for an extension of the powers of the Government, or for consolidation, in that odious sense in which it means an accumulation, in the Federal Government, of the powers properly belonging to the States.

I repeat, sir, that in adopting the sentiment of the framers of the Constitution, I read their language audibly, and word for word; and I pointed out the distinction just as fully as I have now done, between the consolidation of the Union and that other obnoxious consolidation which I disclaimed. And yet the honorable Member misunderstood me. The gentleman had said that he wished for no fixed revenue—not a shilling. If, by a word, he could convert the capitol into gold, he would not do it. Why all this fear of revenue? Why, sir, because, as the gentleman told us, it tends to consolidation. Now, this can mean neither

more nor less than that a common revenue is a common interest, and that all common interests tend to hold the union of the States together. I confess I like that tendency; if the gentleman dislikes it, he is right in deprecating a shilling's fixed revenue. So much, sir, for consolidation.

As well as I recollect the course of his remarks, the honorable gentleman next recurred to the subject of the tariff. He did not doubt the word must be of unpleasant sound to me, and proceeded with an effort, neither new, nor attended with new success, to involve me and my votes in inconsistency and contradiction. I am happy the honorable gentleman has furnished me an opportunity for a timely remark or two on that subject. I was glad he approached it, for it is a question I enter upon without fear from anybody. The strenuous toil of the gentleman has been to raise an inconsistency between my dissent to the tariff in 1824 and my vote in 1828. It is labor lost. He pays undeserved compliment to my speech in 1824; but this is to raise me high, that my fall, as he would have it, in 1828, may be more signal. Sir, there was no fall at all. Between the ground I stood on in 1824, and that I took in 1828, there was not only no precipice, but no declivity. It was a change of position, to meet new circumstances, but on the same level. A plain tale explains the whole matter. In 1816, I had not acquiesced in the tariff, then supported by South Carolina. To some parts of it, especially, I felt and expressed great repugnance. I held the same opinions in 1821, at the meeting in Faneuil Hall, to which the gentleman has alluded. I said then, and say now, that, as an original question, the authority of Congress to exercise the revenue power, with direct reference to the protection of manufactures, is a questionable authority, far more questionable, in my judgment, than the power of internal improvements. I must confess, sir, that, in one respect, some impression has been made on my opinions lately. Mr. Madison's publication has put the power in a very strong light. He has placed it, I must acknowledge, upon grounds of construction and argument, which seem impregnable. But even if the power were doubtful, on the face of the Constitution itself, it had been assumed and asserted in the first revenue law ever passed under that same Constitution; and, on this ground, as a matter settled by cotemporaneous practice, I had refrained from expressing the opinion that the tariff laws transcended constitutional limits, as the gentleman supposes. What I did say at Faneuil Hall, as far as I now remember, was that this was originally matter of doubtful construction. The gentleman himself, I suppose, thinks there is no doubt about it and that the laws are plainly against the Constitution. Mr. Madison's letters, already referred to, contain, in my judgment, by far the most able exposition extant of

this part of the Constitution. He has satisfied me, so far as the practice of the Government had left it an open question.

With a great majority of the Representatives of Massachusetts, I voted against the tariff of 1824. My reasons were then given, and I will not now repeat them. But, notwithstanding our dissent, the great States of New York, Pennsylvania, Ohio, and Kentucky went for the bill, in almost unbroken column, and it passed. Congress and the President sanctioned it, and it became the law of the land. What, then, were we to do? Our only option was, either to fall in with this settled course of public policy, and accommodate ourselves to it as well as we could, or to embrace the South Carolina doctrine, and talk of nullifying the statute by State interference.

This last alternative did not suit our principles, and, of course, we adopted the former. In 1827 the subject came again before Congress, on a proposition favorable to wool and woolens. We looked upon the system of protection as being fixed and settled. The law of 1824 remained. It had gone into full operation, and in regard to some objects intended by it, perhaps most of them, had produced all its expected effects. No man proposed to repeal it; no man attempted to renew the general contest on its principle. But, owing to subsequent and unforeseen occurrences, the benefit intended by it to wool and woolen fabrics had not been realized. Events, not known here when the law passed, had taken place, which defeated its object in that particular respect. A measure was accordingly brought forward to meet this precise deficiency; to remedy this particular defect. It was limited to wool and woolens. Was ever anything more reasonable? If the policy of the tariff laws had become established in principle, as the permanent policy of the Government, should they not be revised and amended, and made equal, like other laws, as exigencies should arise, or justice require? Because we had doubted about adopting the system, were we to refuse to cure its manifest defects, after it became adopted, and when no one attempted its repeal? And this, sir, is the inconsistency so much bruited. I had voted against the tariff of 1824—but it passed; and in 1827 and 1828 I voted to amend it, in a point essential to the interest of my constituents. Where is the inconsistency? Could I do otherwise? Sir, does political consistency consist in always giving negative votes? Does it require of a public man to refuse to concur in amending laws, because they passed against his consent? Having voted against the tariff originally, does consistency demand that I should do all in my power to maintain an unequal tariff, burdensome to my own constituents, and in many respects, favorable to none? To consistency of that sort I lay no claim. And there is another sort to which I lay as little—and

that is a kind of consistency by which persons feel themselves as much bound to oppose a proposition, after it has become a law of the land, as before.

The bill of 1827, limited, as I have said, to the single object in which the tariff of 1824 had manifestly failed in its effect, passed the House of Representatives, but was lost here. We had then the Act of 1828. I need not recur to the history of a measure so recent. Its enemies spiced it with whatsoever they thought would render it distasteful; its friends took it, drugged as it was. Vast amounts of property, many millions, had been invested in manufactures, under the inducements of the Act of 1824. Events called loudly, as I thought, for further regulation to secure the degree of protection intended by that act. I was disposed to vote for such regulation, and desired nothing more; but certainly was not to be bantered out of my purpose by a threatened augmentation of duty on molasses, put into the bill for the avowed purpose of making it obnoxious. The vote may have been right or wrong, wise or unwise; but it is little less than absurd to allege against it an inconsistency with opposition to the former law.

Sir, as to the general subject of the tariff, I have little now to say. Another opportunity may be presented. I remarked the other day that this policy did not begin with us in New England; and yet, sir, New England is charged with vehemence as being favorable, or charged with equal vehemence as being unfavorable to the tariff policy, just as best suits the time, place, and occasion for making some charge against her. The credulity of the public has been put to its extreme capacity of false impression, relative to her conduct, in this particular. Through all the South, during the late contest, it was New England policy and a New England administration that was afflicting the country with a tariff beyond all endurance; while on the other side of the Alleghany, even the Act of 1828 itself, the very sublimated essence of oppression, according to Southern opinions, was pronounced to be one of those blessings for which the West was indebted to the "generous South."

With large investments in manufacturing establishments, and many and various interests connected with and dependent upon them, it is not expected that New England, any more than other portions of the country, will now consent to any measure, destructive or highly dangerous. The duty of the Government, at the present moment, would seem to be to preserve, not to destroy; to maintain the position which it has assumed; and, for one, I shall feel it an indispensable obligation to hold it steady, as far as in my power, to that degree of protection which it has undertaken to bestow. No more of the tariff.

Professing to be provoked, by what he chose to consider a charge

made by me against South Carolina, the honorable Member, Mr. President, has taken up a new crusade against New England. Leaving altogether the subject of the public lands, in which his success, perhaps, had been neither distinguished nor satisfactory, and letting go, also, of the topic of the tariff, he sallied forth in a general assault on the opinions, politics, and parties of New England, as they have been exhibited in the last thirty years. This is natural. The "narrow policy" of the public lands had proved a legal settlement in South Carolina, and was not to be removed. The "accursed policy" of the tariff, also, had established the fact of its birth and parentage in the same State. No wonder, therefore, the gentleman wished to carry the war, as he expressed it, into the enemy's country. Prudently willing to quit these subjects, he was doubtless desirous of fastening on others that which could not be transferred south of Mason and Dixon's Line. The politics of New England became his theme; and it was in this part of his speech, I think, that he menaced me with such sore discomfiture. Discomfiture! Why, sir, when he attacks anything which I maintain, and overthrows it; when he turns the right or left of any position which I take up; when he drives me from any ground I choose to occupy; he may then talk of discomfiture, but not till that distant day. What has he done? Has he maintained his own charges? Has he proved what he alleged? Has he sustained himself in his attack on the Government, and on the history of the North, in the matter of the public lands? Has he disproved a fact, refuted a proposition, weakened an argument maintained by me? Has he come within beat of drum of any position of mine? Oh, no; but he has "carried the war into the enemy's country." Carried the war into the enemy's country! Yes, sir, and what sort of a war has he made of it? Why, sir, he has stretched a dragnet over the whole surface of perished pamphlets, indiscreet sermons, frothy paragraphs, and fuming popular addresses, over whatever the pulpit, in its moments of alarm, the press in its heats, and parties in their extravagance have severally thrown off in times of general excitement and violence. He has thus swept together a mass of such things as, but that they are now old and cold, the public health would have required him rather to leave in their state of dispersion. For a good long hour or two we had the unbroken pleasure of listening to the honorable Member while he recited, with his usual grace and spirit, and with evident high gusto, speeches, pamphlets, addresses, and all the *et ceteras* of the political press, such as warm heads produce in warm times; and such as it would be "discomfiture" indeed, for anyone whose taste did not delight in that sort of reading to be obliged to peruse. This is his war. This is to carry the war into the enemy's country. It

is an invasion of this sort that he flatters himself with the expectation of gaining laurels fit to adorn a Senator's brow!

Mr. President, I shall not,—it will, I trust, not be expected that I should,—either now, or at any time, separate this farrago into parts, and answer and examine its components. I shall hardly bestow upon it all a general remark or two. In the run of forty years, sir, under this Constitution, we have experienced sundry successive violent party contests. Party arose, indeed, with the Constitution itself, and, in some form or other, has attended it through the greater part of its history. Whether any other Constitution than the old Articles of Confederation was desirable, was itself a question on which parties formed; if a new Constitution were framed, what powers should be given it, was another question; and when it had been formed what was, in fact, the just extent of the powers actually conferred, was a third. Parties, as we know, existed under the first administration, as distinctly marked as those which have manifested themselves at any subsequent period. The contest immediately preceding the political change in 1801, and that, again, which existed at the commencement of the late war, are other instances of party excitement of something more than usual strength and intensity. In all these conflicts there was, no doubt, much of violence on both and all sides. It would be impossible, if one had a fancy for such employment, to adjust the relative *quantum* of violence between these contending parties. There was enough in each, as must always be expected in popular governments. With a great deal of proper and decorous discussion there was mingled a great deal also of declamation, virulence, crimination, and abuse. In regard to any party, probably, at one of the leading epochs in the history of parties, enough may be found to make out another equally inflamed exhibition as that with which the honorable Member has edified us. For myself, sir, I shall not rake among the rubbish of bygone times to see what I can find, or whether I cannot find something by which I can fix a blot on the escutcheon of any State, any party, or any part of the country. General Washington's administration was steadily and zealously maintained, as we all know, by New England. It was violently opposed elsewhere. We know in what quarter he had the most earnest, constant, and persevering support in all his great and leading measures. We know where his private and personal characters were held in the highest degree of attachment and veneration; and we know, too, where his measures were opposed, his services slighted, and his character vilified. We know, or we might know, if we turned to the journals, who expressed respect, gratitude, and regret when he retired from the Chief Magistracy; and who refused to express their respect, gratitude, or regret. I shall not

open those journals. Publications more abusive or scurrilous never saw the light than were sent forth against Washington and all his leading measures from presses south of New England. But I shall not look them up. I employ no scavengers; no one is in attendance on me, tendering such means of retaliation; and, if there were, with an ass's load of them, with a bulk as huge as that which the gentleman himself has produced, I would not touch one of them. I see enough of the violence of our own times to be in no way anxious to rescue from forgetfulness the extravagances of times past. Besides, what is all this to the present purpose? It has nothing to do with the public lands, in regard to which the attack was begun; and it has nothing to do with those sentiments and opinions, which, I have thought, tend to disunion, and all of which the honorable Member seems to have adopted himself and undertaken to defend. New England has, at times, so argues the gentleman, held opinions as dangerous as those which he now holds. Suppose this were so, why should he, therefore, abuse New England? If he finds himself countenanced by acts of hers, how is it that, while he relies on these acts, he covers, or seeks to cover, their authors with reproach? But, sir, if, in the course of forty years, there have been undue effervescences of party in New England, has the same thing happened nowhere else? Party animosity and party outrage, not in New England, but elsewhere, denounced President Washington, not only as a Federalist, but as a Tory, a British agent, a man who, in his high office, sanctioned corruption. But does the honorable Member suppose that, if I had a tender here who should put such an effusion of wickedness and folly in my hand, that I would stand up and read it against the South? Parties ran into great heats again in 1799 and 1800. What was said, sir, or rather what was not said, in those years against John Adams, one of the signers of the Declaration of Independence, and its admitted ablest defender on the floor of Congress? If the gentleman wishes to increase his stores of party abuse and frothy violence; if he has a determined proclivity to such pursuits, there are treasures of that sort south of the Potomac, much to his taste, yet untouched,—I shall not touch them.

The parties which divided the country at the commencement of the late war were violent. But, then, there was violence on both sides and violence in every State. Minorities and majorities were equally violent. There was no more violence against the war in New England than in other States; nor any more appearance of violence, except that, owing to a dense population, greater facility of assembling, and more presses, there may have been more in quantity spoken and printed there than in some other places. In the article of sermons, too, New England is somewhat more abundant than South Carolina; and for that reason the

chance of finding here and there an exceptional one may be greater. I hope, too, there are more good ones. Opposition may have been more formidable in New England, as it embraced a larger portion of the whole population; but it was no more unrestrained in its principle, or violent in manner. The minorities dealt quite as harshly with their own State governments as the majorities dealt with the administration here. There were presses on both sides, popular meetings on both sides, aye, and pulpits on both sides, also. The gentleman's surveyors have only catered for him among the productions of one side. I certainly shall not supply the deficiency by furnishing samples of the other. I leave to him and to them the whole concern.

It is enough for me to say that if, in any part of this their grateful occupation; if in all their researches they find anything in the history of Massachusetts, or New England, or in the proceedings of any legislative or other public body disloyal to the Union, speaking slightly of its value, proposing the break it up, or recommending nonintercourse with neighboring States, on account of difference of political opinion, then, sir, I give them all up to the honorable gentleman's unrestrained rebuke; expecting, however, that he will extend his buffetings in like manner to all similar proceedings, wherever else found.

The gentleman, sir, has spoken at large of former parties, now no longer in being, by their received appellations, and has undertaken to instruct us, not only in the knowledge of their principles, but of their respective pedigrees also. He has ascended to the origin and run out their genealogies. With most exemplary modesty he speaks of the party to which he professes to have belonged himself, as the true pure, the only honest, patriotic party, derived by regular descent from father to son from the time of the virtuous Romans! Spreading before us the family free of political parties, he takes especial care to show himself snugly perched on a popular bough! He is wakeful to the expediency of adopting such rules of descent as shall bring him in, in exclusion of others, as an heir to the inheritance of all public virtue and all true political principle. His party and his opinions are sure to be orthodox; heterodoxy is confined to his opponents. He spoke, sir, of the Federalists, and I thought I saw some eyes begin to open and stare a little when he ventured on that ground. I expected he would draw his sketches rather lightly when he looked on the circle around him, and especially if he should cast his thoughts to the high places out of the Senate. Nevertheless, he went back to Rome, *ad annum urbe condita,* and found the fathers of the Federalists in the primeval aristocrats of that renowned empire! He traced the flow of Federal blood down through successive ages and centuries till he brought it into the veins of

the American Tories (of whom, by the way, there were twenty in the Carolinas for one in Massachusetts). From the Tories he followed it to the Federalists; and as the Federal party was broken up, and there was no possibility of transmitting it further on this side the Atlantic, he seems to have discovered that it has gone off, collaterally, though against all the canons of descent, into the Ultras of France, and finally become extinguished, like exploded gas, among the adherents of Don Miguel! This, sir, is an abstract of the gentleman's history of Federalism. I am not about to controvert it. It is not at present worth the pains of refutation; because, sir, if at this day anyone feels the sin of Federalism lying heavily on his conscience, he can easily procure remission. He may even obtain an indulgence, if he be desirous of repeating the same transgression. It is an affair of no difficulty to get into the same right line of patriotic descent. A man nowadays is at liberty to choose his political parentage. He may elect his own father. Federalist or not, he may, if he choose, claim to belong to the favored stock, and his claim will be allowed. He may carry back his pretensions just as far as the honorable gentleman himself; nay, he may make himself out the honorable gentleman's cousin, and prove satisfactorily that he is descended from the same political great-grandfather. All this is allowable. We all know a process, sir, by which the whole Essex Junto could, in one hour, be all washed white from their ancient Federalism, and come out, everyone of them, an original democrat, dyed in the wool! Some of them have actually undergone the operation, and they say it is quite easy. The only inconvenience it occasions, as they tell us, is a slight tendency of the blood to the face, a soft suffusion, which, however, is very transient, since nothing is said by those whom they join calculated to deepen the red on the cheek, but a prudent silence observed in regard to all the past. Indeed, sir, some smiles of approbation have been bestowed, and some crumbs of comfort have fallen not a thousand miles from the door of the Hartford Convention itself. And if the author of the Ordinance of 1787 possessed the other requisite qualifications, there is no knowing, notwithstanding his Federalism, to what heights of favor he might not yet attain.

Mr. President, in carrying his warfare, such as it was, into New England, the honorable gentleman all along professes to be acting on the defensive. He elects to consider me as having assailed South Carolina, and insists that he comes forth only as her champion and in her defense. Sir, I do not admit that I made any attack whatever on South Carolina. Nothing like it. The honorable Member in his first speech expressed opinions in regard to revenue and some other topics, which I heard both with pain and with surprise. I told the gentleman I was

aware that such sentiments were entertained out of the Government, but had not expected to find them advanced in it; that I knew there were persons in the South who speak of our Union with indifference or doubt, taking pains to magnify its evils and to say nothing of its benefits; that the honorable Member himself I was sure could never be one of these, and I regretted the expression of such opinions as he had avowed because I thought their obvious tendency was to encourage feelings of disrespect to the Union, and to weaken its connection. This, sir, is the sum and substance of all I said on the subject. And this constitutes the attack which called on the chivalry of the gentleman, in his own opinion, to harry us with such a foray among the party pamphlets and party proceedings of Massachusetts! If he means that I spoke with dissatisfaction or disrespect of the ebullitions of individuals in South Carolina, it is true. But if he means that I had assailed the character of the State, her honor or patriotism; that I had reflected on her history or her conduct, he had not the slightest ground for any such assumption. I did not even refer, I think, in my observations, to any collection of individuals. I said nothing of the recent conventions. I spoke in the most guarded and careful manner, and only expressed my regret for the publication of opinions which I presumed the honorable Member disapproved as much as myself. In this, it seems, I was mistaken. I do not remember that the gentleman has disclaimed any sentiment or any opinion of a supposed anti-Union tendency, which on all or any of the recent occasions has been expressed. The whole drift of his speech has been rather to prove that in divers times and manners sentiments equally liable to my objection have been promulgated in New England. And one would suppose that his object in this reference to Massachusetts was to find a precedent to justify proceedings in the South were it not for the reproach and contumely with which he labors all along to load these, his own chosen precedents. By way of defending South Carolina from what he chooses to think an attack on her, he first quotes the example of Massachusetts, and then denounces that example in good set terms. This twofold purpose, not very consistent with itself, one would think we exhibited more than once in the course of his speech. He referred, for instance, to the Hartford Convention. Did he do this for authority or for a topic of reproach? Apparently for both; for he told us that he should find no fault with the mere fact of holding such a convention and considering and discussing such questions as he supposes were then and there discussed; but what rendered it obnoxious was the time it was holden and the circumstances of the country then existing. We were in a war, he said, and the country needed all our aid—the hand of Government required to be strengthened,

not weakened—and patriotism should have postponed such proceedings to another day. The thing itself, then, is a precedent, the time and manner of it only a subject of censure. Now, sir, I go much further on this point than the honorable Member. Supposing, as the gentleman seems to, that the Hartford Convention assembled for any such purpose as breaking up the Union because they thought unconstitutional laws had been passed, or to consult on that subject, or to calculate the value of the Union,—supposing this to be their purpose or any part of it, then, I say, the meeting itself was disloyal, and was obnoxious to censure, whether held in time of peace or time of war, or under whatever circumstances. The material question is the object. Is dissolution the object? If it be, external circumstances may make it a more or less aggravated case, but cannot affect the principle. I do not hold, therefore, sir, that the Hartford Convention was pardonable, even to the extent of the gentleman's admission, if its objects were really such as have been imputed to it. Sir, there never was a time under any degree of excitement in which the Hartford Convention, or any other convention, could maintain itself one moment in New England if assembled for any such purpose as the gentleman says would have been an allowable purpose. To hold conventions to decide constitutional law!—to try the binding validity of statutes by votes in a convention! Sir, the Hartford Convention, I presume, would not desire that the honorable gentleman should be their defender or advocate if he puts their case upon such untenable and extravagant grounds.

Then, sir, the gentleman has no fault to find with these recently promulgated South Carolina opinions. And, certainly, he need have none; for his own sentiments as now advanced, and advanced on reflection as far as I have been able to comprehend them, go the full length of all these opinions. I propose, sir, to say something on these, and to consider how far they are just and constitutional. Before doing that, however, let me observe that the eulogium pronounced on the character of the State of South Carolina by the honorable gentleman for her revolutionary and other merits meets my hearty concurrence. I shall not acknowledge that the honorable Member goes before me in regard for whatever of distinguished talent or distinguished character South Carolina has produced. I claim part of the honor,—I partake in the pride of her great names. I claim them for countrymen, one and all. The Laurenses, the Rutledges, the Pinckneys, the Sumters, the Marions—Americans all—whose fame is no more to be hemmed in by State lines than their talents and patriotism were capable of being circumscribed within the same narrow limits. In their day the generation they served and honored the country and the whole country; and their renown

is of the treasures of the whole country. Him whose honored name the gentleman himself bears—does he esteem me less capable of gratitude for his patriotism or sympathy for his sufferings than if his eyes had first opened upon the light of Massachusetts instead of South Carolina? Sir, does he suppose it in his power to exhibit a Carolina name so bright as to produce envy in my bosom? No, sir, increased gratification and delight, rather. I thank God that if I am gifted with little of the spirit which is able to raise mortals to the skies, I have yet none, as I trust, of that other spirit which would drag angels down. When I shall be found, sir, in my place here in the Senate, or elsewhere, to sneer at public merit because it happens to spring up beyond the little limits of my own State or neighborhood; when I refuse for any such cause, or for any cause, the homage due to American talent, to elevated patriotism, to sincere devotion to liberty and the country; or, if I see an uncommon endowment of heaven—if I see extraordinary capacity and virtue in any son of the South—and if, moved by local prejudice, or gangrened by State jealousy, I get up here to abate the tithe of a hair from his just character and just fame, may my tongue cleave to the roof of my mouth!

Sir, let me recur to pleasing recollections—let me indulge in refreshing remembrances of the past—let me remind you that in early times no States cherished greater harmony, both of principle and feeling, than Massachusetts and South Carolina. Would to God that harmony might again return! Shoulder to shoulder they went through the Revolution—hand in hand they stood round the administration of Washington and felt his own great arm lean on them for support. Unkind feeling, if it exist, alienation and distrust, are the growth, unnatural to such soils, of false principles since sown. They are weeds, the seeds of which that same great arm never scattered.

Mr. President, I shall enter on no encomium upon Massachusetts—she needs none. There she is—behold her, and judge for yourselves. There is her history; the world knows it by heart. The past, at least, is secure. There is Boston, and Concord, and Lexington, and Bunker Hill—and there they will remain forever. The bones of her sons, falling in the great struggle for independence, now lie mingled with the soil of every State, from New England to Georgia; and there they will lie forever. And, sir, where American liberty raised its first voice; and where its youth was nurtured and sustained, there it still lives, in the strength of its manhood and full of its original spirit. If discord and disunion shall wound it—if party strife and blind ambition shall hawk at and tear it—if folly and madness—if uneasiness, under salutary and necessary restraint shall succeed to separate it from that union, by which alone its existence is made sure, it will stand, in the end, by the side of that

cradle in which its infancy was rocked; it will stretch forth its arm with whatever of vigor it may still retain, over the friends who gather round it; and it will fall at last, if fall it must, amidst the proudest monuments of its own glory, and on the very spot of its origin.

There yet remains to be performed, Mr. President, by far the most grave and important duty, which I feel to be devolved on me by this occasion. It is to state and to defend what I conceive to be the true principles of the Constitution under which we are here assembled. I might well have desired that so weighty a task should have fallen into other and abler hands. I could have wished that it should have been executed by those whose character and experience give weight and influence to their opinions, such as cannot possibly belong to mine. But, sir, I have met the occasion, not sought it; and I shall proceed to state my own sentiments, without challenging for them any particular regard, with studied plainness and as much precision as possible.

I understand the honorable gentleman from South Carolina to maintain that it is a right of the State legislature to interfere, whenever, in their judgment, this Government transcends its constitutional limits, and to arrest the operation of its laws.

I understand him to maintain this right; as a right existing under the Constitution, not as a right to overthrow it on the ground of extreme necessity, such as would justify violent revolution.

I understand him to maintain an authority, on the part of the States, thus to interfere, for the purpose of correcting the exercise of power by the General Government, of checking it and of compelling it to conform to their opinion of the extent of its powers.

I understand him to maintain that the ultimate power of judging of the constitutional extent of its own authority is not lodged exclusively in the General Government or any branch of it; but that, on the contrary, the States may lawfully decide for themselves, and each State for itself, whether in a given case the act of the General Government transcends its power.

I understand him to insist that if the exigency of the case, in the opinion of any State government, require it, such State government may, by its own sovereign authority, annul an act of the General Government which it deems plainly and palpably unconstitutional.

This is the sum of what I understand from him to be the South Carolina doctrine, and the doctrine which he maintains. I propose to consider it and compare it with the Constitution. Allow me to say as a preliminary remark that I call this the South Carolina doctrine only because the gentleman himself has so denominated it. I do not feel at liberty to say that South Carolina, as a State, has ever advanced these

sentiments. I hope she has not and never may. That a great majority of her people are opposed to the tariff laws is doubtless true. That a majority somewhat less than that just mentioned conscientiously believe these laws unconstitutional may probably also be true. But that any majority holds to the right of direct State interference, at State discretion, the right of nullifying acts of Congress, by acts of State legislation, is more than I know and what I shall be slow to believe.

That there are individuals besides the honorable gentleman who do maintain these opinions is quite certain. I recollect the recent expression of a sentiment, which circumstances attending its utterance and publication justify us in supposing was not unpremeditated. "The sovereignty of the State—never to be controlled, construed, or decided on, but by her own feelings of honorable justice."

[Mr. Hayne here rose and said that for the purpose of being clearly understood, he would state that his proposition was in the words of the Virginia Resolution as follows:—

"That this assembly doth explicitly and peremptorily declare that it views the powers of the Federal Government as resulting from the compact to which the States are parties, as limited by the plain sense and intention of the instrument constituting that compact, as no further valid than they are authorized by the grants enumerated in that compact; and that, in case of a deliberate, palpable, and dangerous exercise of other powers, not granted by the said compact, the States who are parties thereto have the right and are in duty bound to interpose, for arresting the progress of the evil and for maintaining within their respective limits the authorities, rights, and liberties appertaining to them."]

I am quite aware, Mr. President, of the existence of the resolution which the gentleman read and has now repeated, and that he relies on it as his authority. I know the source, too, from which it is understood to have proceeded. I need not say that I have much respect for the constitutional opinions of Mr. Madison; they would weigh greatly with me always. But, before the authority of his opinion he vouched for the gentleman's proposition, it will be proper to consider what is the fair interpretation of that resolution to which Mr. Madison is understood to have given his sanction. As the gentleman construes it, it is an authority for him. Possibly he may not have adopted the right construction. That resolution declares that in the case of the dangerous exercise of powers not granted by the General Government, the States may interpose to arrest the progress of the evil. But how interpose, and what does this declaration purport? Does it mean no more than that there may be extreme cases in which the people in any mode of as-

sembling may resist usurpation and relieve themselves from a tyrannical government? No one will deny this. Such resistance is not only acknowledged to be just in America, but in England also. Blackstone admits as much in the theory and practice, too, of the English Constitution. We, sir, who oppose the Carolina doctrine do not deny that the people may, if they choose, throw off any government when it becomes oppressive and intolerable, and erect a better in its stead. We all know that civil institutions are established for the public benefit and that when they cease to answer the ends of their existence they may be changed. But I do not understand the doctrine now contended for to be that which, for the sake of distinctness, we may call the right of revolution. I understand the gentleman to maintain that, without revolution, without civil commotion, without rebellion, a remedy for supposed abuse and transgression of the powers of the General Government lies in a direct appeal to the interference of the State governments.

[Mr. Hayne here rose. He did not contend, he said, for the mere right of revolution, but for the right of constitutional resistance. What he maintained was that, in case of a plain, palpable violation of the Constitution by the General Government, a State may interpose, and that this interposition is constitutional.]

So, sir, I understood the gentleman, and am happy to find that I did not misunderstand him. What he contends for is that it is constitutional to interrupt the administration of the Constitution itself in the hands of those who are chosen and sworn to administer it by the direct inference in form of law of the States in virtue of their sovereign capacity. The inherent right in the people to reform their Government I do not deny; and they have another right and that is to resist unconstitutional laws without overturning the Government. It is no doctrine of mine that unconstitutional laws bind the people. The great question is: Whose prerogative is it to decide on the constitutionality or unconstitutionality of the laws? On that the main debate hinges. The proposition that, in case of a supposed violation of the Constitution by Congress, the States have a constitutional right to interfere and annul the law of Congress, is the proposition of the gentleman: I do not admit it. If the gentleman had intended no more than to assert the right of revolution for justifiable cause, he would have said only what all agree to. But I cannot conceive that there can be a middle course between submission to the laws, when regularly pronounced constitutional on the one hand, and open resistance, which is revolution or rebellion on the other. I say the right of a State to annul a law of Congress cannot be maintained but on the ground of the unalienable right of man to resist oppression;

that is to say, upon the ground of revolution. I admit that there is an ultimate violent remedy above the Constitution and in defiance of the Constitution, which may be resorted to when a revolution is to be justified. But I do not admit that under the Constitution, and in conformity with it, there is any mode in which a State government, as a member of the Union, can interfere and stop the progress of the General Government, by force of her own laws, under any circumstances whatever.

This leads us to inquire into the origin of this Government and the source of its power. Whose agent is it? Is it the creature of the State legislatures, or the creature of the people? If the Government of the United States be the agent of the State governments, then they may control it, provided they can agree in the manner of controlling it; if it be the agent of the people, then the people alone can control it, restrain it, modify, or reform it. It is observable enough that the doctrine for which the honorable gentleman contends leads him to the necessity of maintaining, not only that this General Government is the creature of the States, but that it is the creature of each of the States severally; so that each may assert the power for itself of determining whether it acts within the limits of its authority. It is the servant of four and twenty masters, of different wills and different purposes, and yet bound to obey all. This absurdity (for it seems no less) arises from a misconception as to the origin of this Government and its true character. It is, sir, the people's Constitution, the people's Government; made for the people, made by the people, and answerable to the people. The people of the United States have declared that this Constitution shall be the supreme law. We must either admit the proposition, or dispute their authority. The States are, unquestionably, sovereign, so far as their sovereignty is not affected by this supreme law. But the State legislatures, as political bodies, however sovereign, are yet not sovereign over the people. So far as the people have given power to the General Government, so far the grant is unquestionably good, and the Government holds of the people, and not of the State governments. We are all agents of the same supreme power, the people. The General Government and the State governments derive their authority from the same source. Neither can, in relation to the other, be called primary, though one is definite and restricted and the other general and residuary. The National Government possesses those powers which it can be shown the people have conferred on it, and no more. All the rest belong to the State governments or to the people themselves. So far as the people have restrained State sovereignty, by the expression of their will, in the Constitution of the United States, so far, it must be admitted, State

sovereignty is effectually controlled. I do not contend that it is, or ought to be, controlled further. The sentiment to which I have referred propounds that State sovereignty is only to be controlled by its own "feeling of justice"; that is to say, it is not to be controlled at all; for one who is to follow his own feelings is under no legal control. Now, however men may think this ought to be, the fact is that the people of the United States have chosen to impose control on State sovereignties. There are those, doubtless, who wish they had been left without restraint; but the Constitution has ordered the matter differently. To make war, for instance, is an exercise of sovereignty; but the Constitution declares that no State shall make war. To coin money is another exercise of sovereign power; but no State is at liberty to coin money. Again, the Constitution says that no sovereign State shall be so sovereign as to make a treaty. These prohibitions, it must be confessed, are a control on the State sovereignty of South Carolina, as well as of the other States, which does not arise "from her own feelings of honorable justice." Such an opinion, therefore, is in defiance of the plainest provisions of the Constitution.

There are other proceedings of public bodies which have already been alluded to, and to which I refer again for the purpose of ascertaining more fully what is the length and breadth of that doctrine, denominated the Carolina doctrine, which the honorable Member has now stood upon this floor to maintain. In one of them I find it resolved that "the tariff of 1828, and every other tariff designed to promote one branch of industry at the expense of others, is contrary to the meaning and intention of the Federal compact; and is such a dangerous, palpable and deliberate usurpation of power, by a determined majority, wielding the General Government beyond the limits of its delegated powers, as calls upon the States which compose the suffering minority, in their sovereign capacity, to exercise the powers which, as sovereigns, necessarily devolve upon them when their compact is violated."

Observe, sir, that this resolution holds the tariff of 1828, and every other tariff, designed to promote one branch of industry at the expense of another, to be such a dangerous, palpable and deliberate usurpation of power, as calls upon the States, in their sovereign capacity, to interfere by their own authority. This denunciation, Mr. President, you will please observe, includes our old tariff of 1816, as well as all others; because that was established to promote the interest of the manufactures of cotton, to the manifest and admitted injury of the Calcutta cotton trade. Observe again, that all the qualifications are here rehearsed and charged upon the tariff, which are necessary to bring the case within the gentleman's proposition. The tariff is an usurpation; it is a danger-

ous usurpation; it is a palpable usurpation; it is a deliberate usurpation. It is such an usurpation, therefore, as calls upon the States to exercise their right of interference. Here is a case, then, within the gentleman's principles, and all his qualifications of his principles. It is a case for action. The Constitution is plainly, dangerously, palpably and deliberately violated; and the States must interpose their own authority to arrest the law. Let us suppose the State of South Carolina to express this same opinion by the voice of her legislature. That would be very imposing; but what then? Is the voice of one State conclusive? It so happens that at the very moment when South Carolina resolves that the tariff laws are unconstitutional, Pennsylvania and Kentucky resolve exactly the reverse. They hold those laws to be both highly proper and strictly constitutional. And now, sir, how does the honorable Member propose to deal with this case? How does he relieve us from this difficulty upon any principle of his? His construction gets us into it; how does he propose to get us out?

In Carolina the tariff is a palpable, deliberate usurpation; Carolina, therefore, may nullify it, and refuse to pay the duties. In Pennsylvania it is both clearly constitutional and highly expedient; and there the duties are to be paid. And yet we live under a Government of uniform laws, and under a Constitution, too, which contains an express provision, as it happens, that all duties shall be equal in all the States. Does not this approach absurdity?

If there be no power to settle such questions, independent of either of the States, is not the whole Union a rope of sand? Are we not thrown back again precisely upon the old confederation?

It is too plain to be argued. Four-and-twenty interpreters of constitutional law, each with a power to decide for itself, and none with authority to bind anybody else, and this constitutional law the only bond of their union! What is such a state of things but a mere connection during pleasure, or, to use the phraseology of the times, during feeling? And that feeling, too, not the feeling of the people, who established the Constitution, but the feeling of the State governments.

In another of the South Carolina addresses, having premised that the crisis requires "all the concentrated energy of passion," an attitude of open resistance to the laws of the Union is advised. Open resistance to the laws, then, is the constitutional remedy, the conservative power of the State, which the South Carolina doctrines teach for the redress of political evils, real or imaginary. And its authors further say that, appealing with confidence to the Constitution itself to justify their opinions, they cannot consent to try their accuracy by the courts of justice. In one sense, indeed, sir, this is assuming an attitude of open resistance

in favor of liberty. But what sort of liberty? The liberty of establishing their own opinions, in defiance of the opinions of all others; the liberty of judging and of deciding exclusively themselves, in a matter in which others have as much right to judge and decide as they; the liberty of placing their own opinions above the judgment of all others, above the laws, and above the Constitution. This is their liberty, and this is the fair result of the proposition contended for by the honorable gentleman. Or it may be more properly said, it is identical with it, rather than a result from it.

In the same publication we find the following:—

"Previously to our Revolution, when the arm of oppression was stretched over New England, where did our Northern brethren meet with a braver sympathy than that which sprang from the bosoms of Carolinians? We had no extortion, no oppression, no collision with the king's ministers, no navigation interests springing up in envious rivalry of England."

This seems extraordinary language. South Carolina no collision with the king's ministers in 1775! No extortion! No oppression! But, sir, it is also most significant language. Does any man doubt the purpose for which it was penned? Can anyone fail to see that it was designed to raise in the reader's mind the question whether, at this time, —that is to say, in 1828,—South Carolina has any collision with the king's ministers, any oppression, or extortion to fear from England? Whether, in short, England is not as naturally the friend of South Carolina, as New England with her navigation interests springing up in envious rivalry of England?

Is it not strange, sir, that an intelligent man in South Carolina in 1828 should thus labor to prove that in 1775 there was no hostility, no cause of war between South Carolina and England? That she had no occasion in reference to her own interest, or from a regard to her own welfare, to take up arms in the revolutionary contest? Can anyone account for the expression of such strange sentiments and their circulation through the State, otherwise than by supposing the object to be what I have already intimated, to raise the question if they had no "collision" (mark the expression) with the ministers of King George III., in 1775, what collision have they in 1828 with the ministers of King George IV.? What is there now in the existing state of things to separate Carolina from Old more, or rather, than from New England?

Resolutions, sir, have been recently passed by the legislature of South Carolina. I need not refer to them; they go no further than the honorable gentleman himself has gone,—and, I hope, not so far. I content myself, therefore, with debating the matter with him.

And now, sir, what I have first to say on this subject is that at no time and under no circumstances has New England or any State in New England, or any respectable body of persons in New England, or any public man of standing in New England, put forth such a doctrine as this Carolina doctrine.

The gentleman has found no case, he can find none, to support his own opinions by New England authority. New England has studied the Constitution in other schools and under other teachers. She looks upon it with other regards, and deems more highly and reverently both of its just authority and its utility and excellence. The history of her legislative proceedings may be traced—the ephemeral effusions of temporary bodies, called together by the excitement of the occasion, may be hunted up—they have been hunted up. The opinions and votes of her public men, in and out of Congress, may be explored—it will all be in vain. The Carolina doctrine can derive from her neither countenance nor support. She rejects it now; she always did reject it; and till she loses her senses, she always will reject it. The honorable Member has referred to expressions on the subject of the Embargo law made in this place by an honorable and venerable gentleman [Mr. Hillhouse] now favoring us with his presence. He quotes that distinguished Senator as saying that, in his judgment, the Embargo law was unconstitutional, and that, therefore, in his opinion the people were not bound to obey it. That, sir, is perfectly constitutional language. An unconstitutional law is not binding; but then it does not rest with a resolution or a law of a State legislature to decide whether an act of Congress be or be not constitutional. An unconstitutional act of Congress would not bind the people of this district, although they have no legislature to interfere in their behalf; and, on the other hand, a constitutional law of Congress does bind the citizens of every State, although all their legislatures should undertake to annul it by act or resolution. The venerable Connecticut Senator is a constitutional lawyer of sound principles and enlarged knowledge; a statesman practiced and experienced, bred in the company of Washington, and holding just views upon the nature of our governments. He believed the Embargo unconstitutional, and so did others; but what then? Who did he suppose was to decide that question? The State legislatures? Certainly not. No such sentiment ever escaped his lips. Let us follow up, sir, this New England opposition to the Embargo laws; let us trace it till we discern the principle which controlled and governed New England throughout the whole course of that opposition. We shall then see what similarity there is between the New England school of constitutional opinions and this modern Carolina school. The gentleman, I think, read a petition from some

single individual, addressed to the legislature of Massachusetts, asserting the Carolina doctrine,—that is, the right of State interference to arrest the laws of the Union. The fate of that petition shows the sentiment of the legislature. It met no favor. The opinions of Massachusetts were otherwise. They had been expressed in 1798 in answer to the resolutions of Virginia, and she did not depart from them, nor bend them to the times. Misgoverned, wronged, oppressed as she felt herself to be, she still held fast her integrity to the Union. The gentleman may find in her proceedings much evidence of dissatisfaction with the measures of government, and great and deep dislike to the Embargo; all this makes the case so much the stronger for her; for notwithstanding all this dissatisfaction and dislike, she claimed no right, still, to sever asunder the bonds of the Union. There was heat and there was anger in her political feeling. Be it so! Her heat or her anger did not, nevertheless, betray her into infidelity to the Government. The gentleman labors to prove that she disliked the Embargo as much as South Carolina dislikes the tariff, and expressed her dislike as strongly. Be it so; but did she propose the Carolina remedy?—did she threaten to interfere, by State authority, to annul the laws of the Union? That is the question for the gentleman's consideration.

No doubt, sir, a great majority of the people of New England conscientiously believed the Embargo law of 1807 unconstitutional; as conscientiously, certainly as the people of South Carolina hold that opinion of the tariff. They reasoned thus: Congress has power to regulate commerce; but here is a law, they said, stopping all commerce, and stopping it indefinitely. The law is perpetual; that is, it is not limited in point of time, and must, of course, continue until it shall be repealed by some other law. It is as perpetual, therefore, as the law against treason or murder. Now, is this regulating commerce or destroying it? Is it guiding, controlling, giving the rule to commerce, as a subsisting thing; or is it putting an end to it altogether? Nothing is more certain than that a majority in New England deemed this law a violation of the Constitution. The very case required by the gentleman to justify State interference had then arisen. Massachusetts believed this law to be "a deliberate, palpable, and dangerous exercise of a power not granted by the Constitution." Deliberate it was, for it was long continued; palpable, she thought it, as no words in the Constitution gave the power, and only a construction, in her opinion most violent, raised it; dangerous it was, since it threatened utter ruin to her most important interests. Here, then, was a Carolina case. How did Massachusetts deal with it? It was, as she thought, a plain, manifest, palpable violation of the Constitution, and it brought ruin to her doors. Thousands of families, and

hundreds of thousands of individuals were beggared by it. While she saw and felt all this, she saw and felt also that, as a measure of national policy, it was perfectly futile; that the country was no way benefited by that which caused so much individual distress; that it was efficient only for the production of evil, and all that evil inflicted on ourselves. In such a case, under such circumstances, how did Massachusetts demean herself? Sir, she remonstrated, she memorialized, she addressed herself to the General Government, not exactly "with the concentrated energy of passion," but with her own strong sense and the energy of sober conviction. But she did not interpose the arm of her own power to arrest the law and break the Embargo. Far from it. Her principles bound her to two things; and she followed her principles, lead where they might. First, to submit to every constitutional law of Congress, and, secondly, if the constitutional validity of the law be doubted, to refer that question to the decision of the proper tribunals. The first principle is vain and ineffectual without the second. A majority of us in New England believed the Embargo law unconstitutional; but the great question was, and always will be, in such cases: Who is to decide this? Who is to judge between the people and the Government? And, sir, it is quite plain that the Constitution of the United States confers on the Government itself, to be exercised by its appropriate department, and under its own responsibility to the people, this power of deciding ultimately and conclusively upon the just extent of its own authority. If this had not been done, we should not have advanced a single step beyond the old confederation.

Being fully of opinion that the Embargo law was unconstitutional, the people of New England were yet equally clear in the opinion,—it was a matter they did not doubt upon,—that the question, after all, must be decided by the judicial tribunals of the United States. Before those tribunals, therefore, they brought the question. Under the provisions of the law they had given bonds to millions in amount, and which were alleged to be forfeited. They suffered the bonds to be sued, and thus raised the question. In the old-fashioned way of settling disputes, they went to law. The case came to hearing and solemn argument; and he who espoused their cause and stood up for them against the Embargo Act was none other than that great man of whom the gentleman has made honorable mention, Samuel Dexter. He was then, sir, in the fullness of his knowledge and the maturity of his strength. He had retired from long and distinguished public service here, to the renewed pursuit of professional duties; carrying with him all that enlargement and expansion, all the new strength and force, which an acquaintance with the more general subjects discussed in the national councils is capable

of adding to professional attainment in a mind of true greatness and comprehension. He was a lawyer and he was also a statesman. He had studied the Constitution, when he filled public station, that he might defend it; he had examined its principles that he might maintain them. More than all men, or at least as much as any man, he was attached to the General Government and to the Union of the States. His feelings and opinions all ran in that direction. A question of Constitutional law, too, was, of all subjects, that one which was best suited to his talents and learning. Aloof from technicality, and unfettered by artificial rule, such a question gave opportunity for that deep and clear analysis, that mighty grasp of principle, which so much distinguished his higher efforts. His very statement was argument; his inference seemed demonstration. The earnestness of his own conviction wrought conviction in others. One was convinced, and believed, and assented, because it was gratifying, delightful, to think and feel and believe in unison with an intellect of such evident superiority.

Mr. Dexter, sir, such as I have described him, argued the New England cause. He put into his effort his whole heart, as well as all the powers of his understanding; for he had avowed, in the most public manner, his entire concurrence with his neighbors on the point in dispute. He argued the cause; it was lost, and New England submitted. The established tribunals pronounced the law constitutional, and New England acquiesced. Now, sir, is not this the exact opposite of the doctrine of the gentleman from South Carolina? According to him, instead of referring to the judicial tribunals, we should have broken up the Embargo by laws of our own; we should have repealed it *quoad* New England; for we had a strong, palpable, and oppressive case. Sir, we believed the Embargo unconstitutional; but still that was matter of opinion, and who was to decide it? We thought it a clear case; but, nevertheless, we did not take the law into our own hands because we did not wish to bring about a revolution, nor to break up the Union: for I maintain that, between submission to the decision of the constituted tribunals and revolution, or disunion, there is no middle ground,—there is no ambiguous condition, half allegiance, and half rebellion. And, sir, how futile, how very futile it is to admit the right of State interference, and then attempt to save it from the character of unlawful resistance by adding terms of qualification to the causes and occasions, leaving all these qualifications, like the case itself, in the discretion of the State governments. It must be a clear case, it is said, a deliberate case; a palpable case; a dangerous case. But then the State is still left at liberty to decide for herself what is clear, what is deliberate, what is palpable, what is dangerous. Do adjectives and epithets avail any-

thing? Sir, the human mind is so constituted that the merits of both sides of a controversy appear very clear and very palpable to those who respectively espouse them; and both sides usually grow clearer as the controversy advances. South Carolina sees unconstitutionality in the tariff; she sees oppression there also; and she sees danger. Pennsylvania, with a vision not less sharp, looks at the same tariff, and sees no such thing in it,—she sees it all constitutional, all useful, all safe. The faith of South Carolina is strengthened by opposition, and she now not only sees, but resolves that the tariff is palpably unconstitutional, oppressive, and dangerous; but Pennsylvania, not to be behind her neighbors, and equally willing to strengthen her own faith by a confident asseveration, resolves, also, and gives to every warm affirmative of South Carolina a plain, downright, Pennsylvania negative. South Carolina, to show the strength and unity of her opinion, brings her assembly to a unanimity within seven voices; Pennsylvania, not to be outdone in this respect more than others, reduces her dissentient fraction to a single vote. Now, sir, again I ask the gentleman what is to be done? Are these States both right? Is he bound to consider them both right? If not, which is in the wrong? or rather, which has the best right to decide? And if he and if I are not to know what the Constitution means and what it is till those two State legislatures and the twenty-two others shall agree in its construction, what have we sworn to when we have sworn to maintain it? I was forcibly struck, sir, with one reflection as the gentleman went on in his speech. He quoted Mr. Madison's resolutions, to prove that a State may interfere, in a case of deliberate, palpable, and dangerous exercise of a power not granted. The honorable Member supposes the tariff law to be such an exercise of power; and that, consequently, a case has arisen in which the State may, if it see fit, interfere by its own law. Now it so happens, nevertheless, that Mr. Madison deems this same tariff law quite constitutional. Instead of a clear and palpable violation, it is, in his judgment, no violation at all. So that, while they use his authority for a hypothetical case, they reject it in the very case before them. All this, sir, shows the inherent—futility—I had almost used a stronger word—of conceding this power of interference to the States, and then attempting to secure it from abuse by imposing qualifications, of which the States themselves are to judge. One of two things is true: either the laws of the Union are beyond the discretion and beyond the control of the States, or else we have no Constitution of General Government, and are thrust back again to the days of the Confederacy.

Let me here say, sir, that if the gentleman's doctrine had been received and acted upon in New England, in the times of the Embargo

and Nonintercourse, we should probably not now have been here. The Government would very likely have gone to pieces, and crumbled into dust. No stronger case can ever arise than existed under those laws; no States can ever entertain a clearer conviction than the New England States then entertained; and if they had been under the influence of that heresy of opinion, as I must call it, which the honorable Member espouses, this Union would, in all probability, have been scattered to the four winds. I ask the gentleman, therefore, to apply his principles to that case; I ask him to come forth and declare whether, in his opinion, the New England States would have been justified in interfering to break up the Embargo system under the conscientious opinions which they held upon it? Had they a right to annul that law? Does he admit, or deny? If that which is thought palpably unconstitutional in South Carolina justifies that State in arresting the progress of the law, tell me whether that which was thought palpably unconstitutional also in Massachusetts would have justified her in doing the same thing? Sir, I deny the whole doctrine. It has not a foot of ground in the Constitution to stand on. No public man of reputation ever advanced it in Massachusetts, in the warmest times, or could maintain himself upon it there at any time.

I wish now, sir, to make a remark upon the Virginia Resolutions of 1798. I cannot undertake to say how these resolutions were understood by those who passed them. Their language is not a little indefinite. In the case of the exercise by Congress of a dangerous power not granted to them, the resolutions assert the right, on the part of the State, to interfere and arrest the progress of the evil. This is susceptible of more than one interpretation. It may mean no more than that the States may interfere by complaint and remonstrance, or by proposing to the people an alteration of the Federal Constitution. This would all be quite unobjectionable; or, it may be, that no more is meant than to assert the general right of revolution, as against all governments, in cases of intolerable oppression. This no one doubts; and this, in my opinion, is all that he who framed the resolutions could have meant by it: for I shall not readily believe that he was ever of opinion that a State, under the Constitution, and in conformity with it, could, upon the ground of her own opinion of its unconstitutionality, however clear and palpable she might think the case, annul a law of Congress, so far as it should operate on herself, by her own legislative power.

I must now beg to ask, sir, whence is this supposed right of the States derived?—where do they find the power to interfere with the laws of the Union? Sir, the opinion which the honorable gentleman maintains is a notion, founded in a total misapprehension, in my judgment, of the

origin of this Government and of the foundation on which it stands. I hold it to be a popular Government, erected by the people; those who administer it, responsible to the people; and itself capable of being amended and modified, just as the people may choose it should be. It is as popular, just as truly emanating from the people, as the State governments. It is created for one purpose; the State governments for another. It has its own powers; they have theirs. There is no more authority with them to arrest the operation of a law of Congress than with Congress to arrest the operation of their laws. We are here to administer a Constitution emanating immediately from the people, and trusted by them to our administration. It is not the creature of the State governments. It is of no moment to the argument, that certain acts of the State legislatures are necessary to fill our seats in this body. That is not one of their original State powers, a part of the sovereignty of the State. It is a duty which the people, by the Constitution itself, have imposed on the State legislatures, and which they might have left to be performed elsewhere, if they had seen fit. So they have left the choice of President with electors; but all this does not affect the proposition, that this whole Government, President, Senate, and House of Representatives, is a popular Government. It leaves it still all its popular character. The governor of a State (in some of the States) is chosen, not directly by the people, but by those who are chosen by the people, for the purpose of performing, among other duties, that of electing a governor. Is the government of the State, on that account, not a popular government? This government, sir, is the independent offspring of the popular will. It is not the creature of State legislatures; nay, more, if the whole truth must be told, the people brought it into existence, established it, and have hitherto supported it, for the very purpose, amongst others, of imposing certain salutary restraints on State sovereignties. The States cannot now make war; they cannot contract alliances; they cannot make, each for itself, separate regulations of commerce; they cannot lay imposts; they cannot coin money. If this Constitution, sir, be the creature of State legislatures, it must be admitted that it has obtained a strange control over the volitions of its creators.

The people, then, sir, erected this Government. They gave it a Constitution, and in that Constitution they have enumerated the powers which they bestow on it. They have made it a limited Government. They have defined its authority. They have restrained it to the exercise of such powers as are granted; and all others, they declare, are reserved to the States or the people. But, sir, they have not stopped here. If they had, they would have accomplished but half their work. No definition can be so clear as to avoid possibility of doubt; no limitation

so precise as to exclude all uncertainty. Who, then, shall construe this grant of the people? Who shall interpret their will, where it may be supposed they have left it doubtful? With whom do they repose this ultimate right of deciding on the powers of the Government? Sir, they have settled all this in the fullest manner. They have left it with the Government itself, in its appropriate branches. Sir, the very chief end, the main design, for which the whole Constitution was framed and adopted, was to establish a Government that should not be obliged to act through State agency, or depend on State opinion and State discretion. The people had had quite enough of that kind of Government under the Confederacy. Under that system the legal action—the application of law to individuals—belonged exclusively to the States. Congress could only recommend—their acts were not of binding force till the States had adopted and sanctioned them. Are we in that condition still? Are we yet at the mercy of State discretion and State construction? Sir, if we are, then vain will be our attempt to maintain the Constitution under which we sit.

But, sir, the people have wisely provided in the Constitution itself, a proper suitable mode and tribunal for settling questions of constitutional law. There are, in the Constitution, grants of powers to Congress, and restrictions on these powers. There are also prohibitions on the States. Some authority must therefore necessarily exist, having the ultimate jurisdiction to fix and ascertain the interpretation of these grants, restrictions, and prohibitions. The Constitution has itself pointed out, ordained, and established that authority. How has it accomplished this great and essential end? By declaring, sir, that "the Constitution and the laws of the United States, made in pursuance thereof, shall be the supreme law of the land, anything in the Constitution or laws of any State to the contrary notwithstanding."

This, sir, was the first great step. By this the supremacy of the Constitution and laws of the United States is declared. The people so will it. No State law is to be valid, which comes in conflict with the Constitution, or any law of the United States passed in pursuance of it. But who shall decide this question of interference? To whom lies the last appeal? This, sir, the Constitution itself decides also by declaring "that the judicial power shall extend to all cases arising under the Constitution and laws of the United States." These two provisions, sir, cover the whole ground. They are in truth the keystone of the arch. With these it is a Constitution; without them it is a Confederacy. In pursuance of these clear and express provisions, Congress established at its very first session in the judicial act a mode for carrying them into full effect and for bringing all questions of constitutional power to the

final decision of the Supreme Court. It then, sir, became a Government. It then had the means of self-protection; and but for this it would, in all probability, have been now among things which are past. Having constituted the Government, and declared its powers, the people have further said, that since somebody must decide on the extent of these powers, the Government shall itself decide; subject always, like other popular governments, to its responsibility to the people. And now, sir, I repeat, how is it that a State legislature acquires any power to interfere? Who, or what, gives them the right to say to the people: "We, who are your agents and servants for one purpose, will undertake to decide that your other agents and servants, appointed by you for another purpose, have transcended the authority you gave them!" The reply would be, I think, not impertinent—"Who made you a judge over another's servants? To their own masters they stand or fall."

Sir, I deny this power of State legislatures altogether. It cannot stand the test of examination. Gentlemen may say that in an extreme case a State government might protect the people from intolerable oppression. Sir, in such a case, the people might protect themselves without the aid of the State Governments. Such a case warrants revolution. It must make, when it comes, a law for itself. A nullifying act of a State legislature cannot alter the case, nor make resistance any more lawful. In maintaining these sentiments, sir, I am but asserting the rights of the people. I state what they have declared, and insist on their right to declare it. They have chosen to repose this power in the General Government, and I think it my duty to support it, like other constitutional powers.

For myself, sir, I do not admit the jurisdiction of South Carolina, or any other State, to prescribe my constitutional duty; or to settle, between me and the people, the validity of laws of Congress for which I have voted. I decline her umpirage. I have not sworn to support the Constitution according to her construction of its clauses. I have not stipulated by my oath of office, or otherwise, to come under any responsibility except to the people and those whom they have appointed to pass upon the question, whether laws, supported by my votes, conform to the Constitution of the country. And, sir, if we look to the general nature of the case, could anything have been more preposterous than to make a Government for the whole Union, and yet leave its powers subject, not to one interpretation, but to thirteen or twenty-four interpretations? Instead of one tribunal, established by all, responsible to all, with power to decide for all, shall constitutional questions be left to four-and-twenty popular bodies, each at liberty to decide for itself, and none bound to respect the decisions of others; and each at liberty, too, to give a new

construction on every new election of its own members? Would anything with such a principle in it, or rather with such a destitution of all principle, be fit to be called a Government? No, sir. It should not be denominated a Constitution. It should be called, rather, a collection of topics for everlasting controversy; heads of debate for a disputatious people. It would not be a government. It would not be adequate to any practical good, nor fit for any country to live under. To avoid all possibility of being misunderstood, allow me to repeat again in the fullest manner that I claim no powers for the Government by forced or unfair construction. I admit that it is a Government of strictly limited powers; of enumerated, specified, and particularized powers; and that whatsoever is not granted is withheld. But notwithstanding all this, and however the grant of powers may be expressed, its limit and extent may yet, in some cases, admit of doubt; and the General Government would be good for nothing, it would be incapable of long existing if some mode had not been provided in which those doubts, as they should arise, might be peaceably but authoritatively solved.

And now, Mr. President, let me run the honorable gentleman's doctrine a little into its practical application. Let us look at his probable *modus operandi.* If a thing can be done, an ingenious man can tell how it is to be done. Now I wish to be informed how this State interference is to be put in practice without violence, bloodshed, and rebellion. We will take the existing case of the tariff law. South Carolina is said to have made up her opinion upon it. If we do not repeal it (as we probably shall not), she will then apply to the case the remedy of her doctrine. She will, we must suppose, pass a law of her legislature declaring the several acts of Congress, usually called the tariff laws, null and void, so far as they respect South Carolina or the citizens thereof. So far all is a paper transaction, and easy enough. But the collector at Charleston is collecting the duties imposed by these tariff laws—he, therefore, must be stopped. The collector will seize the goods if the tariff duties are not paid. The State authorities will undertake their rescue; the marshal with his posse will come to the collector's aid, and here the contest begins. The militia of the State will be called out to sustain the nullifying act. They will march, sir, under a very gallant leader, for I believe the honorable Member himself commands the militia of that part of the State. He will raise the nullifying act on his standard, and spread it out as his banner! It will have a preamble bearing: "That the tariff laws are palpable, deliberate, and dangerous violations of the Constitution!" He will proceed, with this banner flying, to the customhouse in Charleston:—

"All the while
Sonorous metal blowing martial sounds."

Arrived at the customhouse, he will tell the collector that he must collect no more duties under any of the tariff laws. This he will be somewhat puzzled to say, by the way, with a grave countenance, considering what hand South Carolina herself had in that of 1816. But, sir, the collector would probably not desist at his bidding. He would show him the law of Congress, the Treasury instruction, and his own oath of office. He would say he should perform his duty, come what might. Here would ensue a pause: for they say that a certain stillness precedes the tempest. The trumpeter would hold his breath awhile, and before all this military array should fall on the customhouse, collector, clerks and all, it is very probable some of those composing it would request of their gallant commander in chief to be informed a little upon the point of law; for they have doubtless a just respect for his opinions as a lawyer, as well as for his bravery as a soldier. They know he has read Blackstone and the Constitution, as well as Turenne and Vauban. They would ask him, therefore, something concerning their rights in this matter. They would inquire whether it was not somewhat dangerous to resist a law of the United States. What would be the nature of their offense, they would wish to learn, if they by military force and array resisted the execution in Carolina of a law of the United States, and it should turn out, after all, that the law was constitutional? He would answer, of course, treason. No lawyer could give any other answer. John Fries, he would tell them, had learned that some years ago. How then, they would ask, do you propose to defend us? We are not afraid of bullets, but treason has a way of taking people off that we do not much relish. How do you propose to defend us? "Look at my floating banner," he would reply; "see there the nullifying law!" Is it your opinion, gallant commander, they would then say, that if we should be indicted for treason, that same floating banner of yours would make a good plea in bar? "South Carolina is a sovereign State," he would reply. That is true—but would the judge admit our plea? "These tariff laws," he would repeat, "are unconstitutional, palpably, deliberately, dangerously." That all may be so; but if the tribunal should not happen to be of that opinion, shall we swing for it? We are ready to die for our country, but it is rather an awkward business, this dying without touching the ground! After all, that is a sort of hemp tax worse than any part of the tariff.

Mr. President, the honorable gentleman would be in a dilemma like that of another great general. He would have a knot before him which

he could not untie. He must cut it with his sword. He must say to his followers, Defend yourselves with your bayonets; and this is war —civil war.

Direct collision, therefore, between force and force is the unavoidable result of that remedy for the revision of unconstitutional laws which the gentleman contends for. It must happen in the very first case to which it is applied. Is not this the plain result? To resist, by force, the execution of a law generally is treason. Can the courts of the United States take notice of the indulgence of a State to commit treason? The common saying that a State cannot commit treason herself is nothing to the purpose. Can she authorize others to do it? If John Fries had produced an act of Pennsylvania annulling the law of Congress, would it have helped his case? Talk about it as we will, these doctrines go the length of revolution. They are incompatible with any peaceable administration of the Government. They lead directly to disunion and civil commotion; and, therefore, it is, that at their commencement, when they are first found to be maintained by respectable men, and in a tangible form, I enter my public protest against them all.

The honorable gentleman argues that if this Government be the sole judge of the extent of its own powers, whether that right of judging be in Congress or the Supreme Court, it equally subverts State sovereignty This the gentleman sees, or thinks he sees, although he cannot perceive how the right of judging, in this matter, if left to the exercise of State legislatures, has any tendency to subvert the Government of the Union. The gentleman's opinion may be, that the right ought not to have been lodged with the General Government; he may like better such a Constitution, as we should have under the right of State interference; but I ask him to meet me on the plain matter of fact; I ask him to meet me on the Constitution itself; I ask him if the power is not found there— clearly and visibly found there.

But, sir, what is this danger, and what the grounds of it? Let it be remembered that the Constitution of the United States is not unalterable. It is to continue in its present form no longer than the people who established it shall choose to continue it. If they shall become convinced that they have made an injudicious or inexpedient partition and distribution of power, between the State governments and the General Government, they can alter that distribution at will.

If anything be found in the national Constitution, either by original provision or subsequent interpretation, which ought not to be in it, the people know how to get rid of it. If any construction be established, unacceptable to them, so as to become, practically, a part of the Constitution, they will amend it, at their own sovereign pleasure; but while

the people choose to maintain it, as it is; while they are satisfied with it, and refuse to change it, who has given, or who can give, to the State legislatures a right to alter it, either by interference, construction, or otherwise? Gentlemen do not seem to recollect that the people have any power to do anything for themselves; they imagine there is no safety for them any longer than they are under the close guardianship of the State legislatures. Sir, the people have not trusted their safety, in regard to the General Constitution, to these hands. They have required other security, and taken other bonds. They have chosen to trust themselves, first, to the plain words of the instrument, and to such construction as the Government itself, in doubtful cases, should put on its own powers, under their oaths of office, and subject to their responsibility to them; just as the people of a State trust their own State governments with a similar power. Secondly, they have reposed their trust in the efficacy of frequent elections, and in their own power to remove their own servants and agents, whenever they see cause. Thirdly, they have reposed trust in the judicial power, which, in order that it might be trustworthy, they have made as respectable, as disinterested, and as independent as was practicable. Fourthly, they have seen fit to rely, in case of necessity or high expediency, on their known and admitted power to alter or amend the Constitution, peaceably and quietly, whenever experience shall point out defects or imperfections. And, finally, the people of the United States have, at no time, in no way, directly or indirectly, authorized any State legislature to construe or interpret their high instrument of government; much less to interfere, by their own power, to arrest its course and operation.

If, sir, the people, in these respects, had done otherwise than they have done, their Constitution could neither have been preserved, nor would it have been worth preserving. And, if its plain provisions shall now be disregarded, and these new doctrines interpolated in it, it will become as feeble and helpless a being as its enemies, whether early or more recent, could possibly desire. It will exist in every State, but as a poor dependent on State permission. It must borrow leave to be and it will be no longer than State pleasure or State discretion sees fit to grant the indulgence and to prolong its poor existence.

But, sir, although there are fears, there are hopes also. The people have preserved this, their own chosen Constitution, for forty years and have seen their happiness, prosperity and renown grow with its growth, and strengthen with its strength. They are now, generally, strongly attached to it. Overthrown by direct assault, it cannot be; evaded, undermined, nullified, it will not be, if we, and those who shall succeed us here, as agents and representatives of the people, shall conscientiously

and vigilantly discharge the two great branches of our public trust—faithfully to preserve and wisely to administer it.

Mr. President, I have thus stated the reasons of my dissent to the doctrines which have been advanced and maintained. I am conscious of having detained you and the Senate much too long. I was drawn into the debate with no previous deliberation such as is suited to the discussion of so grave and important a subject. But it is a subject of which my heart is full, and I have not been willing to suppress the utterance of its spontaneous sentiments. I cannot, even now, persuade myself to relinquish it without expressing once more my deep conviction, that since it respects nothing less than the Union of the States, it is of most vital and essential importance to the public happiness. I profess, sir, in my career, hitherto, to have kept steadily in view the prosperity and honor of the whole country, and the preservation of our Federal Union. It is to that Union we owe our safety at home and our consideration and dignity abroad. It is to that Union that we are chiefly indebted for whatever makes us most proud of our country. That Union we reached only by the discipline of our virtues in the severe school of adversity. It had its origin in the necessities of disordered finance, prostrate commerce and ruined credit. Under its benign influence, these great interests immediately awoke as from the dead and sprang forth with newness of life. Every year of its duration has teemed with fresh proofs of its utility and its blessings; and, although our territory has stretched out wider and wider, and our population spread further and further, they have not outrun its protection or its benefits. It has been to us all a copious fountain of national, social and personal happiness. I have not allowed myself, sir, to look beyond the Union to see what might lie hidden in the dark recess behind. I have not coolly weighed the chances of preserving liberty when the bonds that unite us together shall be broken asunder. I have not accustomed myself to hang over the precipice of disunion to see whether, with my short sight, I can fathom the depth of the abyss below; nor could I regard him as a safe counselor in the affairs of this Government, whose thoughts should be mainly bent on considering not how the Union should be best preserved, but how tolerable might be the condition of the people when it shall be broken up and destroyed. While the Union lasts we have high, exciting, gratifying prospects spread out before us, for us and our children. Beyond that I seek not to penetrate the veil. God grant that in my day, at least, that curtain may not rise. God grant that, on my vision, never may be opened what lies behind. When my eyes shall be turned to behold, for the last time, the sun in heaven, may I not see him shining on the broken and dishonored fragments of a once glorious

Union; on States dissevered, discordant, belligerent; on a land rent with civil feuds, or drenched, it may be, in fraternal blood! Let their last feeble and lingering glance rather behold the gorgeous ensign of the Republic, now known and honored throughout the earth, still full high advanced, its arms and trophies streaming in their original luster, not a stripe erased or polluted, nor a single star obscured, bearing for its motto no such miserable interrogatory as, "What is all this worth?" nor those other words of delusion and folly, "Liberty first and union afterwards"; but everywhere, spread all over in characters of living light, blazing on all its ample folds, as they float over the sea and over the land, and in every wind under the whole heavens, that other sentiment, dear to every true American heart—Liberty and Union, now and forever one and inseparable!

§ 11

GENERAL AMNESTY

By Carl Schurz

(United States Senate, January 30, 1872.)

Mr. President: When this debate commenced before the holidays, I refrained from taking part in it, and from expressing my opinions on some of the provisions of the bill now before us; hoping as I did that the measure could be passed without difficulty, and that a great many of those who now labor under political disabilities would be immediately relieved. This expectation was disappointed. An amendment to the bill was adopted. It will have to go back to the House of Representatives now unless by some parliamentary means we get rid of the amendment, and there being no inducement left to waive what criticism we might feel inclined to bring forward, we may consider the whole question open.

I beg leave to say that I am in favor of general, or, as this word is considered more expressive, universal amnesty, believing, as I do, that the reasons which make it desirable that there should be amnesty granted at all, make it also desirable that the amnesty should be universal. The

Carl Schurz. Born at Liblar, near Cologne, Prussia, March 2, 1829; educated at Bonn University; exiled from Germany as a revolutionist; came to America in 1852; in 1861 was appointed by Lincoln as United States Minister to Spain; later served in the Union Army as a Brigadier-General; chairman of the Republican National Convention in 1868; in 1869 was elected United States senator from Missouri; in 1877 became Secretary of the Interior in Hayes' Cabinet; editor of the *New York Evening Post*, 1881-1883; supported Grover Cleveland and other Democratic candidates in the latter part of his life; died in New York May, 14, 1906.

senator from South Carolina [Mr. Sawyer] has already given notice that he will move to strike out the exceptions from the operation of this act of relief for which the bill provides. If he had not declared his intention to that effect, I would do so. In any event, whenever he offers his amendment I shall most heartily support it.

In the course of this debate we have listened to some senators, as they conjured up before our eyes once more all the horrors of the Rebellion, the wickedness of its conception, how terrible its incidents were, and how harrowing its consequences. Sir, I admit it all; I will not combat the correctness of the picture; and yet if I differ with the gentlemen who drew it, it is because, had the conception of the Rebellion been still more wicked, had its incidents been still more terrible, its consequences still more harrowing, I could not permit myself to forget that in dealing with the question now before us we have to deal not alone with the past, but with the present and future interests of this republic.

What do we want to accomplish as good citizens and patriots? Do we mean only to inflict upon the late rebels pain, degradation, mortification, annoyance, for its own sake; to torture their feelings without any ulterior purpose? Certainly such a purpose could not by any possibility animate high-minded men. I presume, therefore, that those who still favor the continuance of some of the disabilities imposed by the Fourteenth Amendment do so because they have some higher object of public usefulness in view, an object of public usefulness sufficient to justify, in their minds at least, the denial of rights to others which we ourselves enjoy.

What can those objects of public usefulness be? Let me assume that, if we differ as to the means to be employed, we are agreed as to the supreme end and aim to be reached. That end and aim of our endeavors can be no other than to secure to all the States the blessings of good and free government and the highest degree of prosperity and well-being they can attain, and to revive in all citizens of this republic that love for the Union and its institutions, and that inspiring consciousness of a common nationality, which, after all, must bind all Americans together.

What are the best means for the attainment of that end? This, sir, as I conceive it, is the only legitimate question we have to decide. Certainly all will agree that this end is far from having been attained so far. Look at the Southern States as they stand before us to-day. Some are in a condition bordering upon anarchy, not only on account of the social disorders which are occurring there, or the inefficiency of their local governments in securing the enforcement of the laws; but you will find in many of them fearful corruption pervading the whole political organization; a combination of rascality and ignorance wielding official

power; their finances deranged by profligate practices; their credit ruined; bankruptcy staring them in the face; their industries staggering under a fearful load of taxation; their property-holders and capitalists paralyzed by a feeling of insecurity and distrust almost amounting to despair. Sir, let us not try to disguise these facts, for the world knows them to be so, and knows it but too well.

What are the causes that have contributed to bring about this distressing condition? I admit that great civil wars, resulting in such vast social transformations as the sudden abolition of slavery, are calculated to produce similar results; but it might be presumed that a recuperative power such as this country possesses might, during the time which has elapsed since the close of the War, at least have very materially alleviated many of the consequences of that revulsion, had a wise policy been followed.

Was the policy we followed wise? Was it calculated to promote the great purposes we are endeavoring to serve? Let us see. At the close of the War we had to establish and secure free labor and the rights of the emancipated class. To that end we had to disarm those who could have prevented this, and we had to give the power of self-protection to those who needed it. For this reason temporary restrictions were imposed upon the late rebels, and we gave the right of suffrage to the colored people. Until the latter were enabled to protect themselves, political disabilities even more extensive than those which now exist rested upon the plea of eminent political necessity. I would be the last man to conceal that I thought so then, and I think there was very good reason for it.

But, sir, when the enfranchisement of the colored people was secured; when they had obtained the political means to protect themselves, then another problem began to loom up. It was not only to find new guaranties for the rights of the colored people, but it was to secure good and honest government to all. Let us not underestimate the importance of that problem, for in a great measure it includes the solution of the other. Certainly nothing could have been more calculated to remove the prevailing discontent concerning the changes that had taken place, and to reconcile men's minds to the new order of things, than the tangible proof that the new order of things was practically working well; that it could produce a wise and economical administration of public affairs, and that it would promote general prosperity, thus healing the wounds of the past and opening to all the prospect of a future of material well-being and contentment. And, on the other hand, nothing could have been more calculated to impede a general, hearty, and honest acceptance of the new order of things by the late rebel population than just those

failures of public administration which involve the people in material embarrassments and so seriously disturb their comfort. In fact, good, honest, and successful government in the Southern States would in its moral effects, in the long run, have exerted a far more beneficial influence than all your penal legislation, while your penal legislation will fail in its desired effects if we fail in establishing in the Southern States an honest and successful administration of the public business.

Now, what happened in the South? It is a well-known fact that the more intelligent classes of Southern society almost uniformly identified themselves with the Rebellion; and by our system of political disabilities just those classes were excluded from the management of political affairs. That they could not be trusted with the business of introducing into living practice the results of the War, to establish true free labor, and to protect the rights of the emancipated slaves, is true; I willingly admit it. But when those results and rights were constitutionally secured there were other things to be done. Just at that period when the Southern States lay prostrated and exhausted at our feet, when the destructive besom of war had swept over them and left nothing but desolation and ruin in its track, when their material interests were to be built up again with care and foresight—just then the public business demanded, more than ordinarily, the coöperation of all the intelligence and all the political experience that could be mustered in the Southern States. But just then a large portion of that intelligence and experience was excluded from the management of public affairs by political disabilities, and the controlling power in those States rested in a great measure in the hands of those who had but recently been slaves and just emerged from that condition, and in the hands of others who had sometimes honestly, sometimes by crooked means and for sinister purposes, found a way to their confidence.

This was the state of things as it then existed. Nothing could be further from my intention than to cast a slur upon the character of the colored people of the South. In fact, their conduct immediately after that great event which struck the shackles of slavery from their limbs was above praise. Look into the history of the world, and you will find that almost every similar act of emancipation—the abolition of serfdom, for instance—was uniformly accompanied by the atrocious outbreaks of a revengeful spirit; by the slaughter of nobles and their families, illumined by the glare of their burning castles. Not so here. While all the horrors of San Domingo had been predicted as certain to follow upon emancipation, scarcely a single act of revenge for injuries suffered or for misery endured has darkened the record of the emancipated bondmen of America. And thus their example stands unrivaled in his-

tory, and they, as well as the whole American people, may well be proud of it. Certainly, the Southern people should never cease to remember and appreciate it.

But while the colored people of the South earned our admiration and gratitude, I ask you in all candor could they be reasonably expected, when, just after having emerged from a condition of slavery, they were invested with political rights and privileges, to step into the political arena as men armed with the intelligence and experience necessary for the management of public affairs and for the solution of problems made doubly intricate by the disasters which had desolated the Southern country? Could they reasonably be expected to manage the business of public administration, involving to so great an extent the financial interests and the material well-being of the people, and surrounded by difficulties of such fearful perplexity, with the wisdom and skill required by the exigencies of the situation? That as a class they were ignorant and inexperienced and lacked a just conception of public interests, was certainly not their fault; for those who have studied the history of the world know but too well that slavery and oppression are very bad political schools. But the stubborn fact remains that they *were* ignorant and inexperienced; that the public business *was* an unknown world to them, and that in spite of the best intentions they *were* easily misled, not infrequently by the most reckless rascality which had found a way to their confidence. Thus their political rights and privileges were undoubtedly well calculated, and even necessary, to protect their rights as free laborers and citizens; but they were not well calculated to secure a successful administration of other public interests.

I do not blame the colored people for it, still less do I say that for this reason their political rights and privileges should have been denied them. Nay, sir, I deemed it necessary then, and I now reaffirm that opinion, that they should possess those rights and privileges for the permanent establishment of the logical and legitimate results of the War and the protection of their new position in society. But, while never losing sight of this necessity, I do say that the inevitable consequence of the admission of so large an uneducated and inexperienced class to political power, as to the probable mismanagement of the material interests of the social body, should at least have been mitigated by a counterbalancing policy. When ignorance and inexperience were admitted to so large an influence upon public affairs, intelligence ought no longer to so large an extent to have been excluded. In other words, when universal suffrage was granted to secure the equal rights of all, universal amnesty ought to have been granted to make all the resources of political intelligence and experience available for the promotion of the welfare of all

But what did we do? To the uneducated and inexperienced classes —uneducated and inexperienced, I repeat, entirely without their fault— we opened the road to power; and, at the same time, we condemned a large proportion of the intelligence of those States, of the property-holding, the industrial, the professional, the tax-paying interest, to a worse than passive attitude. We made it, as it were, easy for rascals who had gone South in quest of profitable adventure to gain the control of masses so easily misled, by permitting them to appear as the exponents and representatives of the national power and of our policy; and at the same time we branded a large number of men of intelligence, and many of them of personal integrity, whose material interests were so largely involved in honest government, and many of whom would have coöperated in managing the public business with care and foresight—we branded them, I say, as outcasts; telling them that they ought not to be suffered to exercise any influence upon the management of the public business, and it would be unwarrantable presumption in them to attempt it.

I ask you, sir, could such things fail to contribute to the results we to-day read in the political corruption and demoralization, and in the financial ruin of some of the Southern States? These results are now before us. The mistaken policy may have been pardonable when these consequences were still a matter of conjecture and speculation; but what excuse have we now for continuing it when those results are clear before our eyes, beyond the reach of contradiction?

These considerations would seem to apply more particularly to those Southern States where the colored element constitutes a very large proportion of the voting body. There is another which applies to all.

When the Rebellion stood in arms against us, we fought and overcame force by force. That was right. When the results of the War were first to be established and fixed, we met the resistance they encountered with that power which the fortune of war and the revolutionary character of the situation had placed at our disposal. The feelings and prejudices which then stood in our way had under such circumstances but little, if any, claim to our consideration. But when the problem presented itself of securing the permanency, the peaceable development, and the successful working of the new institutions we had introduced into our political organism, we had as wise men to take into careful calculation the moral forces we had to deal with; for let us not indulge in any delusion about this: what is to be permanent in a republic like this must be supported by public opinion; it must rest at least upon the willing acquiescence of a large and firm majority of the people.

The introduction of the colored people, the late slaves, into the body-

politic as voters, pointedly affronted the traditional prejudices prevailing among the Southern whites. What should we care about those prejudices? In war, nothing. After the close of the War, in the settlement of peace, not enough to deter us from doing what was right and necessary; and yet, still enough to take them into account when considering the manner in which right and necessity were to be served. Statesmen will care about popular prejudices as physicians will care about the diseased condition of their patients, which they want to ameliorate. Would it not have been wise for us, looking at those prejudices as a morbid condition of the Southern mind, to mitigate, to assuage, to disarm them by prudent measures, and thus to weaken their evil influence? We desired the Southern whites to accept in good faith universal suffrage, to recognize the political rights of the colored man, and to protect him in their exercise. Was not that our sincere desire? But if it was, would it not have been wise to remove as much as possible the obstacles that stood in the way of that consummation? But what did we do? When we raised the colored people to the rights of active citizenship and opened to them all the privileges of eligibility, we excluded from those privileges a large and influential class of whites; in other words, we lifted the late slave, uneducated and inexperienced as he was,—I repeat, without his fault,—not merely to the level of the late master class, but even above it. We asked certain white men to recognize the colored man in a political status not only as high but even higher than their own. We might say that under the circumstances we had a perfect right to do that, and I will not dispute it; but I ask you most earnestly, sir, was it wise to do it? If you desired the white man to accept and recognize the political equality of the black, was it wise to embitter and exasperate his spirit with the stinging stigma of his own inferiority? Was it wise to withhold from him privileges in the enjoyment of which he was to protect the late slave? This was not assuaging, disarming prejudice; this was rather inciting, it was exasperating it. American statesmen will understand and appreciate human nature as it has developed itself under the influence of free institutions. We know that if we want any class of people to overcome their prejudices in respecting the political rights and privileges of any other class, the very first thing we have to do is to accord the same rights and privileges to them. No American was ever inclined to recognize in others public rights and privileges from which he himself was excluded; and for aught I know, in this very feeling, although it may take an objectionable form, we find one of the safeguards of popular liberty.

You tell me that the late rebels had deserved all this in the way of punishment. Granting that, I beg leave to suggest that this is not the

question. The question is: What were the means best calculated to overcome the difficulties standing in the way of a willing and universal recognition of the new rights and privileges of the emancipated class? What were the means to overcome the hostile influences impeding the development of the harmony of society in its new order? I am far from asserting that, had no disabilities existed, universal suffrage would have been received by the Southern whites with universal favor. No, sir, most probably it would not; but I do assert that the existence of disabilities, which put so large and influential a class of whites in point of political privileges below the colored people, could not fail to inflame those prejudices which stood in the way of a general and honest acceptance of the new order of things; they increased instead of diminishing the dangers and difficulties surrounding the emancipated class; and nobody felt that more keenly than the colored people of the South themselves. To their honor be it said, following a just instinct, they were among the very first, not only in the South but all over the country, in entreating Congress to remove those odious discriminations which put in jeopardy their own rights by making them greater than those of others. From the colored people themselves, it seems, we have in this respect received a lesson in statesmanship.

Well, then, what policy does common sense suggest to us now? If we sincerely desire to give to the Southern States good and honest government, material prosperity, and measurable contentment, as far at least as we can contribute to that end; if we really desire to weaken and disarm those prejudices and resentments which still disturb the harmony of society, will it not be wise, will it not be necessary, will it not be our duty to show that we are in no sense the allies and abettors of those who use their political power to plunder their fellow-citizens, and that we do not mean to keep one class of people in unnecessary degradation by withholding from them rights and privileges which all others enjoy? Seeing the mischief which the system of disabilities is accomplishing, is it not time that there should be at least an end of it; or is there any good it can possibly do to make up for the harm it has already wrought and is still working?

Look at it. Do these disabilities serve in any way to protect anybody in his rights or in his liberty or in his property or in his life? Does the fact that some men are excluded from office, in any sense or measure, make others more secure in their lives or in their property or in their rights? Can anybody tell me how? Or do they, perhaps, prevent even those who are excluded from official position from doing mischief if they are mischievously inclined? Does the exclusion from office, does any feature of your system of political disabilities, take the

revolver or the bowie-knife or the scourge from the hands of anyone who wishes to use it? Does it destroy the influence of the more intelligent upon society, if they mean to use that influence for mischievous purposes?

We hear the Ku Klux outrages spoken of as a reason why political disabilities should not be removed. Did not these very same Ku Klux outrages happen while disabilities were in existence? Is it not clear, then, that the existence of political disabilities did not prevent them? No, sir, if political disabilities have any practical effect it is, while not in any degree diminishing the power of the evil-disposed for mischief, to incite and sharpen their mischievous inclination by increasing their discontent with the condition they live in.

It must be clear to every impartial observer that were ever so many of those who are now disqualified put in office, they never could do with their official power as much mischief as the mere fact of the existence of the system of political disabilities, with its inevitable consequences is doing to-day. The scandals of misgovernment in the South which we complain of I admit were not the first and original cause of the Ku Klux outrages. But every candid observer will also have to admit that they did serve to keep the Ku Klux spirit alive. Without such incitement it might gradually by this time, to a great extent at least, have spent itself. And now if the scandals of misgovernment were, partly at least, owing to the exclusion of so large a portion of the intelligence and experience of the South from the active management of affairs, must it not be clear that a measure which will tend to remedy this evil may also tend to reduce the causes which still disturb the peace and harmony of society?

We accuse the Southern whites of having missed their chance of gaining the confidence of the emancipated class when, by a fairly demonstrated purpose of recognizing and protecting them in their rights, they might have acquired upon them a salutary influence. That accusation is by no means unjust; but must we not admit, also, that by excluding them from their political rights and privileges we put the damper of most serious discouragement upon the good intentions which might have grown up among them? Let us place ourselves in their situation, and then I ask you how many of us would, under the same circumstances, have risen above the ordinary impulses of human nature to exert a salutary influence in defiance of our own prejudices, being so pointedly told every day that it was not the business of those laboring under political disabilities to meddle with public affairs at all? And thus, in whatever direction you may turn your eyes, you look in vain for any practical good your political disabilities might possibly accom-

plish. You find nothing, absolutely nothing, in their practical effects but the aggravation of evils already existing, and the prevention of a salutary development.

Is it not the part of wise men, sir, to acknowledge the failure of a policy like this in order to remedy it, especially since every candid mind must recognize that, by continuing the mistake, absolutely no practical good can be subserved?

But I am told that the system of disabilities must be maintained for certain moral effect. The senator from Indiana [Mr. Morton] took great pains to inform us that it is absolutely necessary to exclude somebody from office in order to demonstrate our disapprobation of the crime of rebellion. Methinks that the American people have signified their disapprobation of the crime of rebellion in a far more pointed manner. They sent against the rebellion a million armed men. We fought and conquered the armies of the rebels; we carried desolation into their land; we swept out of existence that system of slavery which was the soul of their offense and was to be the corner-stone of their new empire. If that was not signifying our disapprobation of the crime of rebellion, then I humbly submit that your system of political disabilities, only excluding some persons from office, will scarcely do it.

I remember, also, to have heard the argument that under all circumstances the law must be vindicated. What law in this case? If any law is meant, it must be the law imposing the penalty of death upon the crime of treason. Well, if at the close of the War we had assumed the stern and bloody virtue of the ancient Roman, and had proclaimed that he who raises his hand against this republic must surely die, then we might have claimed for ourselves at least the merit of logical consistency. We might have thought that by erecting a row of gallows stretching from the Potomac to the Rio Grande, and by making a terrible example of all those who had proved faithless to their allegiance, we would strike terror into the hearts of this and coming generations, to make them tremble at the mere thought of treasonable undertakings. That we might have done. Why did we not? Because the American people instinctively recoiled from the idea; because every wise man remembered that where insurrections are punished and avenged with the bloodiest hands, there insurrections do most frequently occur; witness France and Spain and the southern part of this hemisphere; that there is a fascination for bloody reckonings which allures instead of repelling —a fascination like that of the serpent's eye, which irresistibly draws on its victim. The American people recoiled from it, because they felt and knew that the civilization of the nineteenth century has for such evils a better medicine than blood.

Thus, sir, the penalty of treason, as provided for by law, remained a dead letter on the statute book, and we instinctively adopted a generous policy, and we added fresh luster to the glory of the American name by doing so. And now you would speak of vindicating the law against treason, which demands death, by merely excluding a number of persons from eligibility to office! Do you not see that, as a vindication of the law against treason, as an act of punishment, the system of disabilities sinks down to the level of a ridiculous mockery? If you want your system of disabilities to appear at all in a respectable light, then, in the name of common sense, do not call it a punishment for treason. Standing there, as it does, stripped of all the justification it once derived from political necessity, it would appear only as the evidence of an impotent desire to be severe without the courage to carry it out. But, having once adopted the policy of generosity, the only question for us is how to make that policy most fruitful. The answer is: We shall make the policy of generosity most fruitful by making it most complete.

The senator from Connecticut [Mr. Buckingham], whom I am so unfortunate as not to see in his seat to-day, when he opened the debate, endeavored to fortify his theory by an illustration borrowed from the Old Testament, and I am willing to take that illustration off his hands. He asked, if Absalom had lived after his treason, and had been excluded from his father's table, would he have had a just reason to complain of an unjust deprivation of rights? It seems to me that story of Absalom contains a most excellent lesson, which the Senate of the United States ought to read correctly. For the killing of his brother, Absalom had lived in banishment, from which the king, his father, permitted him to return; but the wayward son was but half pardoned, for he was not permitted to see his father's face. And it was for that reason, and then, that he went among the people to seduce them into a rebellion against his royal father's authority. Had he survived that rebellion, King David, as a prudent statesman, would either have killed his son Absalom or he would have admitted him to his table, in order to make him a good son again by unstinted fatherly love. But he would certainly not have permitted his son Absalom to run at large, capable of doing mischief, and at the same time by small measures of degradation inciting him to do it. And that is just the policy we have followed. We have permitted the late rebels to run at large, capable of doing mischief, and then by small measures of degradation, utterly useless for any good purpose, we incited them to do it. Looking at your political disabilities with an impartial eye, you will find that, as a measure of punishment, they did not go far enough; as a measure of policy they

went much too far. We were far too generous to subjugate the hearts of our late enemies by terror; and we mixed our generosity with just enough of bitterness to prevent it from bearing its full fruit. I repeat, we can make the policy of generosity most fruitful only by making it most complete. What objection, then, can stand against this consideration of public good?

You tell me that many of the late rebels do not deserve a full restoration of their rights. That may be so; I do not deny it; but yet, sir, if many of them do not deserve it, is it not a far more important consideration how much the welfare of the country will be promoted by it?

I am told that many of the late rebels, if we volunteer a pardon to them, would not appreciate it. I do not deny this; it may be so, for the race of fools, unfortunately, is not all dead yet; but if they do not appreciate it, shall we have no reason to appreciate the great good which by this measure of generosity will be conferred upon the whole land?

Some senator, referring to a defaulting paymaster who experienced the whole rigor of the law, asked us, "When a poor defaulter is punished, shall a rebel go free? Is embezzlement a greater crime than treason?" No, sir, it is not; but again I repeat that is not the question. The question is whether a general amnesty to rebels is not far more urgently demanded by the public interest than a general pardon for thieves. Whatever may be said of the greatness and the heinous character of the crime of rebellion, a single glance at the history of the world and at the practice of other nations will convince you that in all civilized countries the measure of punishment to be visited on those guilty of that crime is almost uniformly treated as a question of great policy and almost never as a question of strict justice. And why is this? Why is it that a thief, although pardoned, will never again be regarded as an untainted member of society, while a pardoned rebel may still rise to the highest honors of the state, and sometimes even gain the sincere and general esteem and confidence of his countrymen? Because a broad line of distinction is drawn between a violation of law in which political opinion is the controlling element (however erroneous, nay, however revolting that opinion may be, and however disastrous the consequences of the act) and those infamous crimes of which moral depravity is the principal ingredient; and because even the most disastrous political conflicts may be composed for the common good by a conciliatory process, while the infamous crime always calls for a strictly penal correction. You may call this just or not, but such is the public opinion of the civilized world, and you find it in every civilized country.

Look at the nations around us. In the Parliament of Germany how

many men are there sitting who were once what you would call fugitives from justice, exiles on account of their revolutionary acts, now admitted to the great council of the nation in the fullness of their rights and privileges—and mark you, without having been asked to abjure the opinions they formerly held, for at the present moment most of them still belong to the Liberal opposition. Look at Austria, where Count Andrassy, a man who, in 1849, was condemned to the gallows as a rebel, at this moment stands at the head of the imperial ministry; and those who know the history of that country are fully aware that the policy of which that amnesty was a part, which opened to Count Andrassy the road to power, has attached Hungary more closely than ever to the Austrian Crown, from which a narrow-minded policy of severity would have driven her.

Now, sir, ought not we to profit by the wisdom of such examples? It may be said that other Governments were far more rigorous in their first repressive measures, and that they put off the grant of a general amnesty much longer after suppressing an insurrection than we are required to do. So they did; but is not this the great republic of the New World which marches in the very vanguard of modern civilization, and which, when an example of wisdom is set by other nations, should not only rise to its level, but far above it?

It seems now to be generally admitted that the time has come for a more comprehensive removal of political disabilities than has so far been granted. If that sentiment be sincere, if you really do desire to accomplish the greatest possible good by this measure that can be done, I would ask you what practical advantage do you expect to derive from the exclusions for which this bill provides? Look at them, one after another.

First, all those are excluded who, when the Rebellion broke out, were members of Congress, and left their seats in these halls to join it. Why are these men to be excluded as a class? Because this class contains a number of prominent individuals, who, in the Rebellion, became particularly conspicuous and obnoxious, and among them we find those whom we might designate as the original conspirators. But these are few, and they might have been mentioned by name. Most of those, however, who left their seats in Congress to make common cause with the rebels were in no way more responsible for the Rebellion than other prominent men in the South who do not fall under this exception. If we accept at all the argument that it will be well for the cause of good government and the material welfare of the South to re-admit to the management of public affairs all the intelligence and political experience in those States, why, then, exclude as a class men who, having been

members of Congress, may be presumed to possess a higher degree of that intelligence and experience than the rest? If you want that article at all for good purposes, I ask you, do you not want as large a supply of that article as you can obtain?

Leaving aside the original conspirators, is there any reason in the world why those members of Congress should be singled out from the numerous class of intelligent and prominent men who were or had been in office and had taken the same oath which is administered in these halls? Look at it. You do not propose to continue the disqualification of men who served this country as foreign ministers, who left their important posts, betrayed the interests of this country in foreign lands to come back and join the Rebellion; you do not propose to exclude from the benefit of this act those who sat upon the bench and doffed the judicial ermine to take part in the Rebellion; and if such men are not to be disfranchised, why disfranchise the common run of the congressmen, whose guilt is certainly not greater, if it be as great? Can you tell me? Is it wise even to incur the suspicion of making an exception merely for the sake of excluding somebody, when no possible good can be accomplished by it, and when you can thus only increase the number of men incited to discontent and mischief by small and unnecessary degradations?

And now as to the original conspirators, what has become of them? Some of them are dead; and as to those who are still living, I ask you, sir, are they not dead also? Look at Jefferson Davis himself. What if you exclude even him—and certainly our feelings would naturally impel us to do so; but let our reason speak—what if you exclude even him? Would you not give him an importance which otherwise he never would possess, by making people believe that you are even occupying your minds enough with him to make him an exception to an act of generous wisdom? Truly to refrain from making an act of amnesty general on account of the original conspirators, candidly speaking, I would not consider worth while. I would not leave them the pitiable distinction of not being pardoned. Your very generosity will be to them the source of the bitterest disappointment. As long as they are excluded, they may still find some satisfaction in the delusion of being considered men of dangerous importance. Their very disabilities they look upon to-day as a recognition of their power. They may still make themselves and others believe that, were the Southern people only left free in their choice, they would eagerly raise them again to the highest honors.

But you relieve them of their exclusion, and they will at once become conscious of their nothingness, a nothingness most glaringly con-

spicuous then, for you will have drawn away the veil that has concealed it. I suspect that gentlemen on the Democratic side of the House, whom they would consider their political friends, would be filled with dismay at the mere thought of their reappearance among them. If there is anything that could prevent them from voting for universal amnesty, it might be the fear, if they entertained it at all, of seeing Jefferson Davis once more a senator of the United States.

But more than that: you relieve that class of persons, those old misleaders, of their exclusion, and they will soon discover that the people whom they once plunged into disaster and ruin have in the meantime grown, if not as wise as they ought to be, certainly too wise to put their destinies in the hands of the same men again. I hope, therefore, you will not strip this measure of the merit of being a general amnesty to spare the original plotters this most salutary experience.

So much for the first exception. Now to the second. It excludes from the benefit of this act all those who were officers of the Army or of the Navy and then joined the Rebellion. Why exclude that class of persons? I have heard the reason very frequently stated upon the floor of the Senate; it is because those men have been educated at the public expense, and their turning against the Government was therefore an act of peculiar faithlessness and black ingratitude. That might appear a very strong argument at first sight. But I ask you was it not one of the very first acts of this administration to appoint one of the most prominent and conspicuous of that class to a very lucrative and respectable public office? I mean General Longstreet. He had obtained his military education at the expense of the American people. He was one of the wards, one of the pets of the American Republic, and then he turned against it as a rebel. Whatever of faithlessness, whatever of black ingratitude there is in such conduct, it was in his; and yet, in spite of all this, the President nominated him for an office, and your consent, senators, made him a public dignitary. Why did you break the rule in his case? I will not say that you did it because he had become a Republican, for I am far from attributing any mere partizan motive to your action. No: you did it because his conduct after the close of hostilities had been that of a well-disposed and law-abiding citizen. Thus, then, the rule which you, senators, have established for your own conduct is simply this: you will, in the case of officers of the Army or the Navy, waive the charge of peculiar faithlessness and ingratitude if the persons in question after the War had become law-abiding and well-disposed citizens. Well, is it not a fact universally recognized, and I believe entirely uncontradicted, that of all classes of men connected with the Rebellion there is not one whose conduct since

the close of the War has been so unexceptionable, and in a great many instances so beneficial in its influence upon Southern society, as the officers of the Army and the Navy, especially those who before the War had been members of our regular establishments? Why, then, except them from this act of amnesty? If you take subsequent good conduct into account at all, these men are the very last who as a class ought to be excluded. And would it not be well to encourage them in well-doing by a sign on your part that they are not to be looked upon as outcasts whose influence is not desired, even when they are inclined to use it for the promotion of the common welfare?

The third class excluded consists of those who were members of State conventions, and in those State conventions voted for ordinances of secession. If we may judge from the words which fell from the lips of the senator from Indiana, they were the objects of his particular displeasure. Why this? Here we have a large number of men of local standing who in some cases may have been leaders on a small scale, but most of whom were drawn into the whirl of the revolutionary movement just like the rest of the Southern population. If you accept the proposition that it will be well and wise to permit the intelligence of the country to participate in the management of the public business, the exclusion of just these people will appear especially inappropriate, because their local influence might be made peculiarly beneficial; and if you exclude these persons, whose number is considerable, you tell just that class of people whose coöperation might be made most valuable that their coöperation is not wanted, for the reason that, according to the meaning and intent of your system of disabilities, public affairs are no business of theirs. You object that they are more guilty than the rest. Suppose they are—and in many cases I am sure they are only apparently so—but if they were not guilty of any wrong, they would need no amnesty. Amnesty is made for those who bear a certain degree of guilt. Or would you indulge here in the solemn farce of giving pardon only to those who are presumably innocent? You grant your amnesty that it may bear good fruit; and if you do it for that purpose, then do not diminish the good fruit it may bear by leaving unplanted the most promising soil upon which it may grow.

A few words now about the second section of the bill before you, which imposes upon those who desire to have the benefit of amnesty the duty of taking an oath to support the Constitution before some public officer, that oath to be registered, the list to be laid before Congress and to be preserved in the office of the Secretary of State. Sir, I ask you, can you or anyone tell me what practical good is to be accomplished by a provision like this? You may say that the taking of an-

other oath will do nobody any harm. Probably not; but can you tell me, in the name of common sense, what harm in this case the taking of that oath will prevent? Or have we read the history of the world in vain, that we should not know yet how little political oaths are worth to improve the morality of a people or to secure the stability of a government? And what do you mean to accomplish by making up and preserving your lists of pardoned persons? Can they be of any possible advantage to the country in any way? Why, then, load down an act like this with such useless circumstance, while, as an act of grace and wisdom, it certainly ought to be as straightforward and simple as possible?

Let me now in a few words once more sum up the whole meaning of the question which we are now engaged in discussing. No candid man can deny that our system of political disabilities is in no way calculated to protect the rights or the property or the life or the liberty of any living man, or in any way practically to prevent the evil-disposed from doing mischief. Why do you think of granting any amnesty at all? Is it not to produce on the popular mind in the South a conciliatory effect, to quicken the germs of good intentions, to encourage those who can exert a beneficial influence, to remove the pretexts of ill-feeling and animosity, and to aid in securing to the Southern States the blessings of good and honest government? If that is not your design, what can it be?

But if it be this, if you really do desire to produce such moral effects, then I entreat you also to consider what moral means you have to employ in order to bring forth those moral effects you contemplate. If an act of generous statesmanship, or of statesman-like generosity, is to bear full fruit, it should give not as little as possible, but it should give as much as possible. You must not do things by halves if you want to produce whole results. You must not expose yourself to the suspicion of a narrow-minded desire to pinch off the size of your gift wherever there is a chance for it, as if you were afraid you could by any possibility give too much, when giving more would benefit the country more, and when giving less would detract from the beneficent effect of that which you do give.

Let me tell you it is the experience of all civilized nations the world over, when an amnesty is to be granted at all, the completest amnesty is always the best. Any limitation you may impose, however plausible it may seem at first sight, will be calculated to take away much of the virtue of that which is granted. I entreat you, then, in the name of the accumulated experience of history, let there be an end of these bitter and useless and disturbing questions; let the books be finally closed, and

when the subject is forever dismissed from our discussions and our minds, we shall feel as much relieved as those who are relieved of their political disabilities.

Sir, I have to say a few words about an accusation which has been brought against those who speak in favor of universal amnesty. It is the accusation resorted to, in default of more solid argument, that those who advise amnesty, especially universal amnesty, do so because they have fallen in love with the rebels. No, sir, it is not merely for the rebels I plead. We are asked, Shall the Rebellion go entirely unpunished? No, sir, it shall not. Neither do I think that the Rebellion has gone entirely unpunished. I ask you, had the rebels nothing to lose but their lives and their offices? Look at it. There was a proud and arrogant aristocracy, planting their feet on the necks of the laboring people, and pretending to be the born rulers of this great republic. They looked down, not only upon their slaves, but also upon the people of the North, with the haughty contempt of self-asserting superiority. When their pretensions to rule us all were first successfully disputed, they resolved to destroy this republic, and to build up on the corner-stone of slavery an empire of their own in which they could hold absolute sway. They made the attempt with the most overweeningly confident expectation of certain victory. Then came the Civil War, and after four years of struggle their whole power and pride lay shivered to atoms at our feet, their sons dead by tens of thousands on the battle-fields of this country, their fields and their homes devastated, their fortunes destroyed; and more than that, the whole social system in which they had their being, with all their hopes and pride, utterly wiped out; slavery forever abolished, and the slaves themselves created a political power before which they had to bow their heads, and they, broken, ruined, helpless, and hopeless in the dust before those upon whom they had so haughtily looked down as their vassals and inferiors. Sir, can it be said that the Rebellion has gone entirely unpunished?

You may object that the loyal people, too, were subjected to terrible sufferings; that their sons, too, were slaughtered by tens of thousands; that the mourning of countless widows and orphans is still darkening our land; that we are groaning under terrible burdens which the Rebellion has loaded upon us, and that therefore part of the punishment has fallen upon the innocent. And it is certainly true.

But look at the difference. We issued from this great conflict as conquerors; upon the graves of our slain we could lay the wreath of victory; our widows and orphans, while mourning the loss of their dearest, still remember with proud exultation that the blood of their husbands and fathers was not spilled in vain; that it flowed for the great-

est and holiest and at the same time the most victorious of causes; and when our people labor in the sweat of their brow to pay the debt which the Rebellion has loaded upon us, they do it with the proud consciousness that the heavy price they have paid is infinitely overbalanced by the value of the results they have gained: slavery abolished; the great American Republic purified of her foulest stain; the American people no longer a people of masters and slaves, but a people of equal citizens; the most dangerous element of disturbance and disintegration wiped out from among us; this country put upon the course of harmonious development, greater, more beautiful, mightier than ever in its self-conscious power. And thus, whatever losses, whatever sacrifices, whatever sufferings we may have endured, they appear before us in a blaze of glory.

But how do the Southern people stand there? All *they* have sacrificed, all *they* have lost, all the blood *they* have spilled, all the desolation of *their* homes, all the distress that stares *them* in the face, all the wreck and ruin *they* see around them—all for nothing, all for a wicked folly, all for a disastrous infatuation; the very graves of their slain nothing but monuments of a shadowy delusion; all their former hopes vanished forever; and the very magniloquence which some of their leaders are still indulging in, nothing but a mocking illustration of their utter discomfiture! Ah, sir, if ever human efforts broke down in irretrievable disaster, if ever human pride was humiliated to the dust, if ever human hopes were turned into despair, there you behold them.

You may say that they deserved it all. Yes, but surely, sir, you cannot say that the Rebellion has gone entirely unpunished. Nor will the senator from Indiana, with all his declamation (and I am sorry not now to see him before me), make any sane man believe that had no political disabilities ever been imposed, the history of the Rebellion, as long as the memory of men retains the recollection of the great story, will ever encourage a future generation to rebel again, or that if even this great example of disaster should fail to extinguish the spirit of rebellion, his little scare-crow of exclusion from office will be more than a thing to be laughed at by little boys.

And yet, sir, it is certainly true that after the close of the War we treated the rebels with a generosity never excelled in the history of the world. And thus, in advising a general amnesty it is not merely for the rebels I plead. But I plead for the good of the country, which in its best interests will be benefited by amnesty just as much as the rebels are benefited themselves, if not more.

Nay, sir, I plead also for the colored people of the South, whose path will be smoothed by a measure calculated to assuage some of the prejudices and to disarm some of the bitternesses which still confront them;

and I am sure that nothing better could happen to them, nothing could be more apt to make the growth of good feeling between them and the former master-class easier, than the destruction of a system which, by giving them a political superiority, endangers their peaceable enjoyment of equal rights.

And I may say to my honorable friend from Massachusetts [Mr. Sumner], who knows well how highly I esteem him, and whom I sincerely honor for his solicitude concerning the welfare of the lowly, that my desire to see their wrongs righted is no less sincere and no less unhampered by any traditional prejudice than his; although I will confess that as to the constitutional means to that end we may sometimes seriously differ; but I cannot refrain from expressing my regret that this measure should be loaded with anything that is not strictly germane to it, knowing as we both do that the amendment he has proposed cannot secure the necessary two-thirds vote in at least one of the Houses of Congress, and that therefore it will be calculated to involve this measure also in the danger of common failure. I repeat, it is not merely for the rebels I plead; it is for the whole American people, for there is not a citizen in the land whose true interests, rightly understood, are not largely concerned in every measure affecting the peace and welfare of any State of this Union.

Believe me, senators, the statesmanship which this period of our history demands is not exhausted by high-sounding declamation about the greatness of the crime of rebellion, and fearful predictions as to what is going to happen unless the rebels are punished with sufficient severity. We have heard so much of this from some gentlemen, and so little else, that the inquiry naturally suggests itself whether this is the whole compass, the be-all and the end-all of their political wisdom and their political virtue; whether it is really their opinion that the people of the South may be plundered with impunity by rascals in power, that the substance of those States may be wasted, that their credit may be ruined, that their prosperity may be blighted, that their future may be blasted, that the poison of bad feeling may still be kept working where we might do something to assuage its effects; that the people may lose more and more their faith in the efficiency of self-government and of republican institutions; that all this may happen, and we look on complacently, if we can only continue to keep a thorn in the side of our late enemies, and to demonstrate again and again, as the senator from Indiana has it, our disapprobation of the crime of rebellion?

Sir, such appeals as these, which we have heard so frequently, may be well apt to tickle the ear of an unthinking multitude. But unless I am grievously in error, the people of the United States are a multitude

not unthinking. The American people are fast becoming aware that, great as the crime of rebellion is, there are other villainies beside it; that much as it may deserve punishment there are other evils flagrant enough to demand energetic correction; that the remedy for such evils does, after all, not consist in the maintenance of political disabilities, and that it would be well to look behind those vociferous demonstrations of exclusive and austere patriotism to see what abuses and faults of policy they are to cover, and what rotten sores they are to disguise. The American people are fast beginning to perceive that good and honest government in the South, as well as throughout the whole country, restoring a measurable degree of confidence and contentment, will do infinitely more to revive true loyalty and a healthy national spirit, than keeping alive the resentments of the past by a useless degradation of certain classes of persons; and that we shall fail to do our duty unless we use every means to contribute our share to that end. And those, I apprehend, expose themselves to grievous disappointment who still think that, by dinning again and again in the ears of the people the old battle-cries of the Civil War, they can befog the popular mind as to the true requirements of the times, and overawe and terrorize the public sentiment of the country.

Sir, I am coming to a close. One word more. We have heard protests here against amnesty as a measure intended to make us forget the past and to obscure and confuse our moral appreciation of the great events of our history. No, sir; neither would I have the past forgotten, with its great experiences and teachings. Let the memory of the grand uprising for the integrity of the republic; let those heroic deeds and sacrifices before which the power of slavery crumbled into dust, be forever held in proud and sacred remembrance by the American people. Let it never be forgotten, as I am sure it never can be forgotten, that the American Union, supported by her faithful children, can never be undermined by any conspiracy ever so daring, nor overthrown by any array of enemies ever so formidable. Let the great achievements of our struggle for national existence be forever a source of lofty inspiration to our children and children's children.

But surely, sir, I think no generous resolution on our part will mar the luster of those memories, nor will it obliterate from the Southern mind the overwhelming experience that he who raises his hand against the majesty of this republic is doomed to disastrous humiliation and ruin. I would not have it forgotten; and, indeed, that experience is so indelibly written upon the Southern country that nothing can wipe it out.

But, sir, as the people of the North and of the South must live together as one people, and as they must be bound together by the bonds

of a common national feeling, I ask you, will it not be well for us so to act that the history of our great civil conflict, which cannot be forgotten, can never be remembered by Southern men without finding in its closing chapter this irresistible assurance: that we, their conquerors, meant to be, and were after all, not their enemies, but their friends? When the Southern people con over the distressing catalogue of the misfortunes they have brought upon themselves, will it not be well, will it not be "devoutly to be wished" for our common future, if at the end of that catalogue they find an act which will force every fair-minded man in the South to say of the Northern people, "When we were at war they inflicted upon us the severities of war; but when the contest had closed and they found us prostrate before them, grievously suffering, surrounded by the most perplexing difficulties and on the brink of new disasters, they promptly swept all the resentments of the past out of their way and stretched out their hands to us with the very fullest measure of generosity—anxious, eager to lift us up from our prostration?"

Sir, will not this do something to dispel those mists of error and prejudice which are still clouding the Southern mind? I ask again, will it not be well to add to the sad memories of the past which forever will live in their minds, this cheering experience, so apt to prepare them for the harmony of a better and common future?

No, sir; I would not have the past forgotten, but I would have its history completed and crowned by an act most worthy of a great, noble, and wise people. By all the means which we have in our hands, I would make even those who have sinned against this republic see in its flag, not the symbol of their lasting degradation, but of rights equal to all; I would make them feel in their hearts that in its good and evil fortunes their rights and interests are bound up just as ours are, and that therefore its peace, its welfare, its honor, and its greatness may and ought to be as dear to them as they are to us.

I do not, indeed, indulge in the delusion that this act alone will remedy all the evils which we now deplore. No, it will not; but it will be a powerful appeal to the very best instincts and impulses of human nature; it will, like a warm ray of sunshine in springtime, quicken and call to light the germs of good intention wherever they exist; it will give new courage, confidence, and inspiration to the well-disposed; it will weaken the power of the mischievous, by stripping off their pretexts and exposing in their nakedness the wicked designs they still may cherish; it will light anew the beneficent glow of fraternal feeling and of national spirit; for, sir, your good sense as well as your heart must tell you that, when this is truly a people of citizens equal in their political rights, it will then be easier to make it also a people of brothers.

§ 12

COPYRIGHT

By Thomas Babington Macaulay

(Delivered in the House of Commons, February 5, 1841.)

Though, Sir, it is in some sense agreeable to approach a subject with which political animosities have nothing to do, I offer myself to your notice with some reluctance. It is painful to me to take a course which may possibly be misunderstood or misrepresented as unfriendly to the interests of literature and literary men. It is painful to me, I will add, to oppose my honorable and learned friend on a question which he has taken up from the purest motives, and which he regards with a parental interest. These feelings have hitherto kept me silent when the law of copyright has been under discussion. But as I am, on full consideration, satisfied that the measure before us will, if adopted, inflict grievous injury on the public, without conferring any compensating advantage on men of letters, I think it my duty to avow that opinion and to defend it.

The first thing to be done, Sir, is to settle on what principles the question is to be argued. Are we free to legislate for the public good, or are we not? Is this a question of expediency, or is it a question of right? Many of those who have written and petitioned against the existing state of things treat the question as one of right. The law of nature, according to them, gives to every man a sacred and indefeasible property in his own ideas, in the fruits of his own reason and imagination. The legislature has indeed the power to take away this property, just as it has the power to pass an act of attainder for cutting off an innocent man's head without a trial. But, as such an act of attainder would be legal murder, so would an act invading the right of an author to his copy be, according to these gentlemen, legal robbery.

Now, Sir, if this be so, let justice be done, cost what it may. I am not prepared, like my honorable and learned friend, to agree to a compromise between right and expediency, and to commit an injustice for the public convenience. But I must say, that his theory soars far beyond the reach of my faculties. It is not necessary to go, on the present

Thomas Babington (Lord) Macaulay. Born at Rothley Temple, Leicestershire, October 25, 1800; died at Kensington, London, December 28, 1859; educated at Trinity College, Cambridge; elevated to the peerage in 1857.

occasion, into a metaphysical inquiry about the origin of the right of property; and certainly nothing but the strongest necessity would lead me to discuss a subject so likely to be distasteful to the House. I agree, I own, with Paley in thinking that property is the creature of the law, and that the law which creates property can be defended only on this ground, that it is a law beneficial to mankind. But it is unnecessary to debate that point. For, even if I believed in a natural right of property, independent of utility and anterior to legislation, I should still deny that this right could survive the original proprietor. Few, I apprehend, even of those who have studied in the most mystical and sentimental schools of moral philosophy, will be disposed to maintain that there is a natural law of succession older and of higher authority than any human code. If there be, it is quite certain that we have abuses to reform much more serious than any connected with the question of copyright. For this natural law can be only one; and the modes of succession in the Queen's dominions are twenty. To go no further than England, land generally descends to the eldest son. In Kent the sons share and share alike. In many districts the youngest takes the whole. Formerly a portion of a man's personal property was secured to his family; and it was only of the residue that he could dispose by will. Now, he can dispose of the whole by will; but you limited his power, a few years ago, by enacting that the will should not be valid unless there were two witnesses. If a man dies intestate his personal property generally goes according to the statute of distributions; but there are local customs which modify that statute. Now which of all these systems is conformed to the eternal standard of right? Is it primogeniture, or gavelkind, or borough English? Are wills *jure divino?* Are the two witnesses *jure divino?* Might not the *pars rationabilis* of our old law have a fair claim to be regarded as of celestial institution? Was the statute of distributions enacted in Heaven long before it was adopted by Parliament? Or is it to Custom of York, or to Custom of London that this preëminence belongs? Surely, Sir, even those who hold that there is a natural right of property must admit that rules prescribing the manner in which the effects of deceased persons shall be distributed are purely arbitrary, and originate altogether in the will of the legislature. If so, Sir, there is no controversy between my honorable and learned friend and myself as to the principles on which this question is to be argued. For the existing law gives an author copyright during his natural life; nor do I propose to invade that privilege, which I should, on the contrary, be prepared to defend strenuously against any assailant. The only point in issue between us is, how long after an author's death the State shall recognize a copyright in his representatives and assigns;

and it can, I think, hardly be disputed by any rational man that this is a point which the legislature is free to determine in the way which may appear to be most conducive to the general good.

We may now, therefore, I think, descend from these high regions, where we are in danger of being lost in the clouds, to firm ground and clear light. Let us look at this question like legislators, and after fairly balancing conveniences and inconveniences, pronounce between the existing law of copyright and the law now proposed to us. The question of copyright, Sir, like most questions of civil prudence, is neither black nor white, but gray. The system of copyright has great advantages and great disadvantages; and it is our business to ascertain what these are, and then to make an arrangement under which the advantages may be as far as possible secured, and the disadvantages as far as possible excluded. The charge which I bring against my honorable and learned friend's bill is this, that it leaves the advantages nearly what they are at present, and increases the disadvantages at least fourfold.

The advantages arising from a system of copyright are obvious. It is desirable that we should have a supply of good books: we cannot have such a supply unless men of letters are liberally remunerated; and the least objectionable way of remunerating them is by means of copyright. You cannot depend for literary instruction and amusement of the leisure of men occupied in the pursuits of active life. Such men may occasionally produce compositions of great merit. But you must not look to such men for works which require deep meditation and long research. Works of that kind you can expect only from persons who make literature the business of their lives. Of these persons few will be found among the rich and the noble. The rich and the noble are not impelled to intellectual exertion by necessity. They may be impelled to intellectual exertion by the desire of distinguishing themselves, or by the desire of benefiting the community. But it is generally within these walls that they seek to signalize themselves and to serve their fellow-creatures. Both their ambition and their public spirit, in a country like this, naturally take a political turn. It is then on men whose profession is literature, and whose private means are not ample, that you must rely for a supply of valuable books. Such men must be remunerated for their literary labor. And there are only two ways in which they can be remunerated. One of those ways is patronage; the other is copyright.

There have been times in which men of letters looked, not to the public, but to the government, or to a few great men, for the reward of their exertions. It was thus in the time of Mæcenas and Pollio at Rome, of the Medici at Florence, of Lewis the Fourteenth in France, of Lord

Halifax and Lord Oxford in this country. Now, Sir, I well know that there are cases in which it is fit and graceful, nay, in which it is a sacred duty to reward the merits or to relieve the distresses of men of genius by the exercise of this species of liberality. But these cases are exceptions. I can conceive no system more fatal to the integrity and independence of literary men than one under which they should be taught to look for their daily bread to the favor of ministers and nobles. I can conceive no system more certain to turn those minds which are formed by nature to be the blessings and ornaments of our species into public scandals and pests.

We have, then, only one resource left. We must betake ourselves to copyright, be the inconveniences of copyright what they may. Those inconveniences, in truth, are neither few nor small. Copyright is monopoly, and produces all the effects which the general voice of mankind attributes to monopoly. My honorable and learned friend talks very contemptuously of those who are led away by the theory that monopoly makes things dear. That monopoly makes things dear is certainly a theory, as all the great truths which have been established by the experience of all ages and nations, and which are taken for granted in all reasonings, may be said to be theories. It is a theory in the same sense in which it is a theory that day and night follow each other, that lead is heavier than water, that bread nourishes, that arsenic poisons, that alcohol intoxicates. If, as my honorable and learned friend seems to think, the whole world is in the wrong on this point, if the real effect of monopoly is to make articles good and cheap, why does he stop short in his career of change? Why does he limit the operation of so salutary a principle to sixty years? Why does he consent to anything short of a perpetuity? He told us that in consenting to anything short of a perpetuity he was making a compromise between extreme right and expediency. But if his opinion about monopoly be correct, extreme right and expediency would coincide. Or rather why should we not restore the monopoly of the East India trade to the East India Company? Why should we not revive all those old monopolies which, in Elizabeth's reign, galled our fathers so severely that, maddened by intolerable wrong, they opposed to their sovereign a resistance before which her haughty spirit quailed for the first and for the last time? Was it the cheapness and excellence of commodities that then so violently stirred the indignation of the English people. I believe, Sir, that I may safely take it for granted that the effect of monopoly generally is to make articles scarce, to make them dear, and to make them bad. And I may with equal safety challenge my honorable friend to find out any distinction between copyright and other privileges of the same kind; any

reason why a monopoly of books should produce an effect directly the reverse of that which was produced by the East India Company's monopoly of tea, or by Lord Essex's monopoly of sweet wines. Thus, then, stands the case. It is good that authors should be remunerated; and the least exceptionable way of remunerating them is by a monopoly. Yet monopoly is an evil. For the sake of the good we must submit to the evil; but the evil ought not to last a day longer than is necessary for the purpose of securing the good.

Now, I will not affirm, that the existing law is perfect, that it exactly hits the point at which the monopoly ought to cease; but this I confidently say, that the existing law is very much nearer that point than the law proposed by my honorable and learned friend. For consider this: the evil effects of the monopoly are proportioned to the length of its duration. But the good effects for the sake of which we bear the evil effects are by no means proportioned to the length of its duration. A monopoly of sixty years produces twice as much evil as a monopoly of thirty years, and thrice as much evil as a monopoly of twenty years. But it is by no means the fact that a posthumous monopoly of sixty years gives to an author thrice as much pleasure and thrice as strong a motive as a posthumous monopoly of twenty years. On the contrary, the difference is so small as to be hardly perceptible. We all know how faintly we are affected by the prospect of very distant advantages, even when they are advantages which we may reasonably hope that we shall ourselves enjoy. But an advantage that is to be enjoyed more than half a century after we are dead, by somebody, we know not by whom, perhaps by somebody unborn, by somebody utterly unconnected with us, is really no motive at all to action. It is very probable, that in the course of some generations, land in the unexplored and unmapped heart of the Australasian continent will be very valuable. But there is none of us who would lay down five pounds for a whole province in the heart of the Australasian continent. We know, that neither we, nor anybody for whom we care, will ever receive a farthing of rent from such a province. And a man is very little moved by the thought that in the year 2000 or 2100, somebody who claims through him will employ more shepherds than Prince Esterhazy, and will have the finest house and gallery of pictures at Victoria or Sydney. Now, this is the sort of boon which my honorable and learned friend holds out to authors. Considered as a boon to them, it is a mere nullity; but, considered as an impost on the public, it is no nullity, but a very serious and pernicious reality. I will take an example. Dr. Johnson died fifty-six years ago. If the law were what my honorable and learned friend wishes to make it, somebody would now have the monopoly of Dr. Johnson's

works. Who that somebody would be it is impossible to say; but we may venture to guess. I guess, then, that it would have been some bookseller, who was the assign of another bookseller, who was the grandson of a third bookseller, who had bought the copyright from Black Frank, the doctor's servant and residuary legatee, in 1785 or 1786. Now, would the knowledge that this copyright would exist in 1841, have been a source of gratification to Johnson? Would it have stimulated his exertions? Would it have once drawn him out of his bed before noon? Would it have once cheered him under a fit of the spleen? Would it have induced him to give us one more allegory, one more life of a poet, one more imitation of Juvenal? I firmly believe not. I firmly believe that a hundred years ago, when he was writing our debates for the *Gentleman's Magazine,* he would very much rather have had twopence to buy a plate of shin of beef at a cook's shop underground. Considered as a reward to him, the difference between a twenty years' term and a sixty years' term of posthumous copyright would have been nothing or next to nothing. But is the difference nothing to us? I can buy "Rasselas" for sixpence; I might have had to give five shillings for it. I can buy the Dictionary, the entire genuine Dictionary, for two guineas, perhaps for less; I might have had to give five or six guineas for it. Do I grudge this to a man like Dr. Johnson? Not at all. Show me that the prospect of this boon roused him to any vigorous effort, or sustained his spirits under depressing circumstances, and I am quite willing to pay the price of such an object, heavy as that price is. But what I do complain of is that my circumstances are to be worse, and Johnson's none the better; that I am to give five pounds for what to him was not worth a farthing.

The principle of copyright is this. It is a tax on readers for the purpose of giving a bounty to writers. The tax is an exceedingly bad one; it is a tax on one of the most innocent and most salutary of human pleasures; and never let us forget, that a tax on innocent pleasures is a premium on vicious pleasures. I admit, however, the necessity of giving a bounty to genius and learning. In order to give such a bounty, I willingly submit even to this severe and burdensome tax. Nay, I am ready to increase the tax, if it can be shown that by so doing I should proportionally increase the bounty. My complaint is, that my honorable and learned friend doubles, triples, quadruples the tax, and makes scarcely any perceptible addition to the bounty. Why, Sir, what is the additional amount of taxation which would have been levied on the public for Dr. Johnson's works alone, if my honorable and learned friend's bill had been the law of the land? I have not data sufficient to form an opinion. But I am confident that the taxation on his Dictionary alone

would have amounted to many thousands of pounds. In reckoning the whole additional sum which the holders of his copyrights would have taken out of the pockets of the public during the last half century at twenty thousand pounds, I feel satisfied that I very greatly underrate it. Now, I again say that I think it but fair that we should pay twenty thousand pounds in consideration of twenty thousand pounds' worth of pleasure and encouragement received by Dr. Johnson. But I think it very hard that we should pay twenty thousand pounds for what he would not have valued at five shillings.

My honorable and learned friend dwells on the claims of the posterity of great writers. Undoubtedly, Sir, it would be very pleasing to see a descendant of Shakespeare living in opulence on the fruits of his great ancestor's genius. A house maintained in splendor by such a patrimony would be a more interesting and striking object than Blenheim is to us, or than Strathfieldsaye will be to our children. But, unhappily, it is scarcely possible that, under any system, such a thing can come to pass. My honorable and learned friend does not propose that copyright shall descend to the eldest son, or shall be bound up by irrevocable entail. It is to be merely personal property. It is therefore highly improbable that it will descend during sixty years or half that term from parent to child. The chance is that more people than one will have an interest in it. They will in all probability sell it and divide the proceeds. The price which a bookseller will give for it will bear no proportion to the sum which he will afterward draw from the public, if his speculation proves successful. He will give little, if anything, more for a term of sixty years than for a term of thirty or five-and-twenty. The present value of a distant advantage is always small; but when there is great room to doubt whether a distant advantage will be any advantage at all, the present value sinks to almost nothing. Such is the inconstancy of the public taste that no sensible man will venture to pronounce, with confidence, what the sale of any book published in our days will be in the years between 1890 and 1900. The whole fashion of thinking and writing has often undergone a change in a much shorter period than that to which my honorable and learned friend would extend posthumous copyright. What would have been considered the best literary property in the earlier part of Charles the Second's reign? I imagine Cowley's poems. Overleap sixty years, and you are in the generation of which Pope asked, "Who now reads Cowley?" What works were ever expected with more impatience by the public than those of Lord Bolingbroke, which appeared, I think, in 1754. In 1814, no bookseller would have thanked you for the copyright of them all, if you had offered it to him for nothing. What would Paternoster Row give now for the copy-

right of Hayley's "Triumphs of Temper," so much admired within the memory of many people still living? I say, therefore, that, from the very nature of literary property, it will almost always pass from an author's family; and I say, that the price given for it to the family will bear a very small proportion to the tax which the purchaser, if his speculation turns out well, will in the course of a long series of years levy on the public.

If, Sir, I wished to find a strong and perfect illustration of the effects which I anticipate from long copyright, I should select,—my honorable and learned friend will be surprised,—I should select the case of Milton's granddaughter. As often as this bill has been under discussion, the fate of Milton's granddaughter has been brought forward by the advocates of monopoly. My honorable and learned friend has repeatedly told the story with great eloquence and effect. He has dilated on the sufferings, on the abject poverty of this ill-fated woman, the last of an illustrious race. He tells us that, in the extremity of her distress, Garrick gave her a benefit, that Johnson wrote a prologue, and that the public contributed some hundreds of pounds. Was it fit, he asks, that she should receive, in this eleemosynary form, a small portion of what was in truth a debt? Why, he asks, instead of obtaining a pittance from charity, did she not live in comfort and luxury on the proceeds of the sale of her ancestor's works? But, Sir, will my honorable and learned friend tell me that this event, which he has so often and so pathetically described, was caused by the shortness of the term of copyright? Why, at that time, the duration of copyright was longer than even he, at present, proposes to make it. The monopoly lasted not sixty years, but forever. At the time at which Milton's granddaughter asked charity, Milton's works were the exclusive property of a bookseller. Within a few months of the day on which the benefit was given at Garrick's theater, the holder of the copyright of "Paradise Lost"—I think it was Tonson—applied to the Court of Chancery for an injunction against a bookseller, who had published a cheap edition of the great epic poem, and obtained the injunction. The representation of "Comus" was, if I remember rightly, in 1750; the injunction in 1752. Here, then, is a perfect illustration of the effect of long copyright. Milton's works are the property of a single publisher. Everybody who wants them must buy them at Tonson's shop, and at Tonson's price. Whoever attempts to undersell Tonson is harassed with legal proceedings. Thousands who would gladly possess a copy of "Paradise Lost" most forego that great enjoyment. And what, in the meantime, is the situation of the only person for whom we can suppose that the author, protected at such a cost to the public, was at all interested? She is reduced to utter destitution.

Milton's works are under a monopoly. Milton's granddaughter is starving. The reader is pillaged; but the writer's family is not enriched. Society is taxed doubly. It has to give an exorbitant price for the poems; and it has at the same time to give alms to the only surviving descendant of the poet.

But this is not all. I think it right, Sir, to call the attention of the House to an evil, which is perhaps more to be apprehended when an author's copyright remains in the hands of his family, than when it is transferred to booksellers. I seriously fear that, if such a measure as this should be adopted, many valuable works will be either totally suppressed or grievously mutilated. I can prove that this danger is not chimerical; and I am quite certain that, if the danger be real, the safeguards which my honorable and learned friend has devised are altogether nugatory. That the danger is not chimerical may easily be shown. Most of us, I am sure, have known persons who, very erroneously as I think, but from the best motives, would not choose to reprint Fielding's novels, or Gibbon's "History of the Decline and Fall of the Roman Empire." Some gentlemen may perhaps be of opinion, that it would be as well if "Tom Jones" and Gibbon's History were never reprinted. I will not, then, dwell on these or similar cases. I will take cases respecting which it is not likely that there will be any difference of opinion here; cases, too, in which the danger of which I now speak is not matter of supposition, but matter of fact. Take Richardson's novels. Whatever I may, on the present occasion, think of my honorable and learned friend's judgment as a legislator, I must always respect his judgment as a critic. He will, I am sure, say that Richardson's novels are among the most valuable, among the most original works in our language. No writings have done more to raise the fame of English genius in foreign countries. No writings are more deeply pathetic. No writings, those of Shakespeare excepted, show more profound knowledge of the human heart. As to their moral tendency, I can cite the most respectable testimony. Dr. Johnson describes Richardson as one who had taught the passions to move at the command of virtue. My dear and honored friend, Mr. Wilberforce, in his celebrated religious treatise, when speaking of the unchristian tendency of the fashionable novels of the eighteenth century, distinctly excepts Richardson from the censure. Another excellent person whom I can never mention without respect and kindness, Mrs. Hannah More, often declared in conversation, and has declared in one of her published poems, that she first learned from the writings of Richardson those principles of piety by which her life was guided. I may safely say that books celebrated as works of art through the whole civilized world, and praised for their moral tendency by Dr. Johnson,

by Mr. Wilberforce, by Mrs. Hannah More, ought not to be suppressed. Sir, it is my firm belief, that if the law had been what my honorable and learned friend proposes to make it, they would have been suppressed. I remember Richardson's grandson well; he was a clergyman in the city of London; he was a most upright and excellent man; but he had conceived a strong prejudice against works of fiction. He thought all novel-reading not only frivolous but sinful. He said,—this I state on the authority of one of his clerical brethren who is now a bishop,—he said that he had never thought it right to read one of his grandfather's books. Suppose, Sir, that the law had been what my honorable and learned friend would make it. Suppose that the copyright of Richardson's novels had descended, as might well have been the case, to this gentleman. I firmly believe, that we would have thought it sinful to give them a wide circulation. I firmly believe, that he would not for a hundred thousand pounds have deliberately done what he thought sinful. He would not have reprinted them. And what protection does my honorable and learned friend give to the public in such a case? Why, Sir, what he proposes is this, if a book is not reprinted during five years, any person who wishes to reprint it may give notice in the London *Gazette;* the advertisement must be repeated three times; a year must elapse; and then, if the proprietor of the copyright does not put forth a new edition, he loses his exclusive privilege. Now, what protection is this to the public? What is a new edition? Does the law define the number of copies that makes an edition? Does it limit the price of a copy? Are twelve copies on large paper, charged at thirty guineas each, an edition? It has been usual, when monopolies have been granted, to prescribe numbers and to limit prices. But I do not find that my honorable and learned friend proposes to do so in the present case. And, without some such provision, the security which he offers is manifestly illusory. It is my conviction that, under such a system as that which he recommends to us, a copy of "Clarissa" would have been as rare as an Aldus or a Caxton.

I will give another instance. One of the most instructive, interesting, and delightful books in our language is Boswell's "Life of Johnson." Now it is well known that Boswell's eldest son considered this book, considered the whole relation of Boswell to Johnson, as a blot in the escutcheon of the family. He thought, not perhaps altogether without reason, that his father had exhibited himself in a ludicrous and degrading light. And thus he became so sore and irritable that at last he could not bear to hear the "Life of Johnson" mentioned. Suppose that the law had been what my honorable and learned friend wishes to make it. Suppose that the copyright of Boswell's "Life of Johnson" had belonged,

as it well might, during sixty years, to Boswell's eldest son. What would have been the consequence? An unadulterated copy of the finest biographical work in the world would have been as scarce as the first edition of Camden's "Britannia."

These are strong cases. I have shown you that, if the law had been what you are now going to make it, the finest prose work of fiction in the language, the finest biographical work in the language, would very probably have been suppressed. But I have stated my case weakly. The books which I have mentioned are singularly inoffensive books; books not touching on any of those questions which drive even wise men beyond the bounds of wisdom. There are books of a very different kind, books which are the rallying points of great political and religious parties. What is likely to happen if the copyright of one of these books should by descent or transfer come into the possession of some hostile zealot? I will take a single instance. It is only fifty years since John Wesley died; and all his works, if the law had been what my honorable and learned friend wishes to make it, would now have been the property of some person or other. The sect founded by Wesley is the most numerous, the wealthiest, the most powerful, the most jealous of sects. In every parliamentary election it is a matter of the greatest importance to obtain the support of the Wesleyan Methodists. Their numerical strength is reckoned by hundreds of thousands. They hold the memory of their founder in the greatest reverence; and not without reason, for he was unquestionably a great and good man. To his authority they constantly appeal. His works are in their eyes of the highest value. His doctrinal writings they regard as containing the best system of theology ever deduced from Scripture. His journals, interesting even to the common reader, are peculiarly interesting to the Methodist; for they contain the whole history of that singular polity which, weak and despised in its beginning, is now, after the lapse of a century, so strong, so flourishing, and so formidable. The hymns to which he gave his imprimatur are a most important part of the public worship of his followers. Now, suppose that the copyright of these works should belong to some person who holds the memory of Wesley and the doctrines and discipline of the Methodists in abhorrence. There are many such persons. The Ecclesiastical Courts are at this very time sitting on the case of a clergyman of the Established Church who refused Christian burial to a child baptized by a Methodist preacher. I took up the other day a work which is considered as among the most respectable organs of a large and growing party in the Church of England, and there I saw John Wesley designated as a foresworn priest. Suppose that the works of Wesley were suppressed. Why, Sir, such a grievance would be

enough to shake the foundations of Government. Let gentlemen who are attached to the Church reflect for a moment what their feelings would be if the Book of Common Prayer were not to be reprinted for thirty or forty years, if the price of a Book of Common Prayer were run up to five or ten guineas. And then let them determine whether they will pass a law under which it is possible, under which it is probable, that so intolerable a wrong may be done to some sect consisting perhaps of half a million of persons.

I am so sensible, Sir, of the kindness with which the House has listened to me, that I will not detain you longer. I will only say this, that if the measure before us should pass, and should produce one-tenth part of the evil which it is calculated to produce, and which I fully expect it to produce, there will soon be a remedy, though of a very objectionable kind. Just as the absurd acts which prohibited the sale of game were virtually repealed by the poacher, just as many absurd revenue acts have been virtually repealed by the smuggler, so will this law be virtually repealed by piratical booksellers. At present the holder of copyright has the public feeling on his side. Those who invade copyright are regarded as knaves who take the bread out of the mouths of deserving men. Everybody is well pleased to see them restrained by the law, and compelled to refund their ill-gotten gains. No tradesman of good repute will have anything to do with such disgraceful transactions. Pass this law; and that feeling is at an end. Men very different from the present race of piratical booksellers will soon infringe this intolerable monopoly. Great masses of capital will be constantly employed in the violation of the law. Every art will be employed to evade legal pursuit; and the whole nation will be in the plot. On which side indeed should the public sympathy be when the question is whether some book as popular as "Robinson Crusoe," or the "Pilgrim's Progress," shall be in every cottage, or whether it shall be confined to the libraries of the rich for the advantage of the great-grandson of a bookseller who, a hundred years before, drove a hard bargain for the copyright with the author when in great distress? Remember too that, when once it ceases to be considered as wrong and discreditable to invade literary property, no person can say where the invasion will stop. The public seldom makes nice distinctions. The wholesome copyright which now exists will share in the disgrace and danger of the new copyright which you are about to create. And you will find that, in attempting to impose unreasonable restraints on the reprinting of the works of the dead, you have, to a great extent, annulled those restraints which now prevent men from pillaging and defrauding the living. If I saw, Sir, any probability that this bill could be so amended in the Committee that my objections might

be removed, I would not divide the House in this stage. But I am so fully convinced that no alteration which would not seem insupportable to my honorable and learned friend, could render his measure supportable to me, that I must move, though with regret, that this bill be read a second time this day six months.

§ 13

INVISIBLE GOVERNMENT

By Elihu Root

(Delivered in favor of the short ballot amendment in the New York state Constitutional convention, in the Capitol at Albany, August 30, 1915.)

I have had great doubt whether or not I should impose any remarks on this bill upon the convention, especially after my friend, Mr. Quigg, has so ingeniously made it difficult for me to speak; but I have been so long deeply interested in the subject of the bill, and I shall have so few opportunities hereafter, perhaps never another, that I cannot refrain from testifying to my faith in the principles of government which underlie the measure, and putting upon this record, for whatever it may be worth, the conclusions which I have reached upon the teachings of long experience in many positions, through many years of participation in the public affairs of this state and in observation of them.

I wish, in the first place, to say something suggested by the question of my friend, Mr. Brackett, as to where this short ballot idea came from. It came up out of the dark, he says.

Let us see. In 1910, Governor Hughes, in his annual message, said this to the legislature of the state: "There should be a reduction in the number of elective offices. The ends of democracy will be better attained to the extent that the attention of the voters may be focussed upon comparatively few offices, the incumbents of which can be strictly accountable for administration. This will tend to promote efficiency in public office by increasing the effectiveness of the voter and by diminishing the opportunities of political manipulators who take advantage of the multiplicity of elective offices to perfect their schemes at the public expense. I am in favor of as few elective offices as may be consistent with proper accountability to the people, and a short ballot.

Elihu Root. Born at Clinton, N. Y., February 15, 1845; graduated from Hamilton College, 1864; LL.B., New York University, 1857; Secretary of War in McKinley's Cabinet, 1899-1904; Secretary of State, Roosevelt's Cabinet, 1905-1909; United States Senator from New York, 1909-1915.

It would be an improvement, I believe, in state administration if the executive responsibility was centered in the governor, who should appoint a cabinet of administrative heads accountable to him and charged with the duties now imposed upon elected state officers."

Following that message from Governor Hughes, to whom the people of this state look with respect and honor, a resolution for the amendment to the constitution was introduced in the Assembly of 1910. That resolution provided for the appointment of all state officers, except the governor and the lieutenant-governor.

There was a hot contest upon the floor. Speaker Wadsworth came down from the speaker's chair to advocate the measure, and Jesse Phillips, sitting before me, voted for it. And so, in the practical affairs of this state, the movement out of which this bill came had its start upon the floor of the state legislature.

Hughes and Wadsworth, one drawing from his experience as governor and the other upon his observation of public affairs, from the desk of the speaker of the assembly, were its sponsors.

Time passed, and in 1912 the movement had gained such headway among the people of the state that the Republican convention of that year declared its adherence to the principle of the short ballot, and the Progressive convention, in framing its platform, under which two hundred thousand—it is safe, is it not, to say two hundred thousand—of the Republican voters of this state followed Roosevelt as their leader, rather than Taft; the Progressive convention, in framing its platform, declared: "We favor the short ballot principle and appropriate constitutional amendments."

So two parties, and all branches of the Republican party at least, committed themselves to the position that Hughes and Wadsworth took in the Assembly of 1910.

In 1913, after the great defeat of 1912, when the Republicans of the state were seeking to bring back to their support the multitudes that had gone off with the Progressive movement; when they were seeking to offer a program of constructive forward movement in which the Republican party should be the leader, Republicans met in a great mass meeting in the city of New York, on the fifth of December of that year, 1913.

Nine hundred and seventy Republicans were there from all parts of the state. It was a crisis in the affairs of the Republican party. The party must commend itself to the people of the state, or it was gone. Twenty-eight members of this convention were there, and in that meeting, free to all, open to full discussion, after amendments had been offered, discussed and voted upon, this resolution was adopted:

WHEREAS, This practice [referring to the long ballot] is also in violation of the best principles of organization which require that the governor, who under the constitution is the responsible chief executive, should be so in fact, and that he should have the power to select his official agents;

THEREFORE, Be it Resolved, that we favor the application to the state government of the principle of the short ballot, which is that only those offices should be elective which are important enough to attract (and deserve) public examination.

And be it further Resolved, that, in compliance with this principle, we urge the representatives of the Republican party of this state, in the senate and assembly, to support a resolution providing for the submission to the people of an amendment to the constitution, under which amendment it will be the duty of the governor to appoint the secretary of state, the state treasurer, the comptroller, the attorney-general, and the state engineer and surveyor, leaving only the governor and lieutenant-governor as elective state executive officers.

That resolution, I say, after full discussion was unanimously adopted by the nine hundred and seventy representative Republicans who had met there to present to the people of the state a constructive program for the party. Mr. Frederick C. Tanner is chairman of this committee on Governor and Other State Officers to-day, because it was he who offered the resolution in that meeting that was unanimously approved by those nine hundred and seventy Republicans. He is executing a mandate. He is carrying out a policy. He is fulfilling a pledge to the people.

The time went on and the following winter, in the Assembly of 1914, a new resolution was introduced following the terms of this resolution of the mass meeting, following the terms of the Hughes-Wadsworth resolution of 1910, providing that all these state officers except the governor and lieutenant-governor should be appointed. That resolution passed the Assembly and every Republican in the Assembly voted for it. It never came to a vote in the Senate. Voting for that resolution were four members of the Assembly, who now sit in this convention: Mr. Bockes, Mr. Eisner, Mr. Hinman, and Mr. Mathewson.

Time passed on and in the autumn of 1914 a Republican convention met at Saratoga; an unofficial convention, we are told. Unofficial? Negligible! Here is the law under which it was called, Section 45 of the election law:—

"Nothing contained in this chapter shall prevent a party from holding party conventions to be constituted in such manner and to have such powers in relation to formulating party platforms and policies and the transaction of business relating to party affairs as the rules and regulations of the party may provide, not inconsistent with the provisions of this chapter.

That convention was thus called more specifically and solemnly to frame a platform than any other convention that ever met in this state, for that was its sole business. That is what it was there for; to define, to declare, to set before the people the faith and policies of the Republican party; and in that convention there was a report from the Committee on Rules, which embodied deliberation, full discussion and mature judgment, such as no report that ever came to a political convention within my experience ever had. The great mass meeting of December 5, 1913, had directed the appointment of a Committee of Thirty to meet and consider and prepare for submission to the convention a statement of the views of the Republican party regarding the new constitution. That committee was appointed; it met two or three days before the convention in the city of Saratoga. It met in the office of my friend, Mr. Brackett, and there day after day it discussed the subject, reached and voted upon its conclusions and framed a report.

Let me say here, that Senator Brackett never agreed with the committee. He has been consistent and honest and open in the declaration of his views from first to last, but he was voted down in the Committee of Thirty. Their report favoring a short ballot, among other things, was presented to the convention. That report was referred to the Committee on Resolutions of the convention, a committee of forty-two members, among them twelve members of this convention, and that Committee on Resolutions took up the report of the Committee of Thirty and discussed it all day and they voted upon it, and again Mr. Brackett's view was voted down; and the Committee on Resolutions reported to the convention the plank in favor of the short ballot that has been read to you.

Mr. Brackett. Will the Senator permit an interruption? I know you have not intentionally made a misstatement, but you will recall that a report of the Committee of Thirty was not presented to the Committee on Platform until an hour before the convention, in the little room at the end of the piazza—before the convention met.

Mr. Root. It is a fact, and that room was the scene of excited and hot controversy for a long period over the adoption of that report, which was in part adopted and in part rejected.

Mr. Brackett. If you will pardon a suggestion, you said for a long period. It was, I think, about an hour and a half.

Mr. Deyo. Will the gentleman give way? I think that lasted until the following day.

Mr. Root. It did.

When it came to the convention, there was no doubt about the subject we were talking on. The temporary chairman of the convention had

said to the convention, "The reflections which arise from considering the relations of the executive and the legislature lead inevitably to another field of reform in state government. That is, the adoption of the short ballot. That is demanded both for the efficiency of our electoral system, and for the efficiency of government after election." And then, after stating the first, he proceeded: "The most obvious step toward simplifying the ballot in this state is to have the heads of executive departments appointed by the governor, etc. Still more important would be the effect of such a change upon the efficiency of government. The most important thing in constituting government is to unite responsibility with power, so that a certain known person may be definitely responsible for doing what ought to be done; to be rewarded if he does it and punished if he does not do it, and that the person held responsible shall have the power to do the thing. Under our system we have divided executive power among many separately elected heads of departments, and we have thus obscured responsibility, because in the complicated affairs of our government it is hard for the best informed to know who is to be blamed, or who is to be praised, who ought to be rewarded or who punished. At the same time that the governor is empowered to appoint the heads of executive departments and made responsible for their conduct, there plainly ought to be a general reorganization of the executive branch of our government."

After that, Mr. Chairman, came the report of the Committee on Resolutions, and Mr. Brackett submitted a minority report, taking substantially the position which he has taken here. That minority report was read, and it was argued at length. Amendments were offered and discussed. Mr. Brackett, I repeat, was heard at length upon it, in what he then called the "great council of the party," and he was beaten; beaten fighting manfully for his opinions, but he was beaten. The Republican party went to the people at the coming election upon the declaration that it was in favor of applying the principle of the short ballot to the selection of executive officers.

Let me turn to the other side of the story. When the resolution for the short ballot, simon-pure, making all the state officers but the governor and lieutenant-governor appointive, was before the Assembly of 1914, Mr. A. E. Smith, the member of this convention whose attractive personality has so impressed itself upon every member, moved an amendment to limit the change of appointment of the secretary of state, state engineer and surveyor and state treasurer, leaving the comptroller and attorney-general elective. Upon that amendment the Democrats of the Assembly stood, voting with him. When the Democratic convention met in that autumn they put themselves on Mr. Smith's platform, ap-

proved his action and that of the Democrats in the Assembly and declared in favor of exactly what he called for in his amendment—the election of the comptroller and the attorney-general and the appointment of all the other officers.

So you have this movement, not coming out of the dark, but begun by a great Governor and advocated by a great Speaker, both of whom have received the approval of their country, one by being elevated to the bench of the Supreme Court of the United States and the other to the Senate of the United States. You have the movement progressing step by step until it has received the almost universal assent, the final and decisive action of the party to which that Governor and that Speaker belong, repeated over and over and over again, fully thought out and discussed; and you have the other party accepting the principle, agreeing to the application of it, with the exception of the comptroller and the attorney-general.

Now, we must vote according to our consciences. We are not bound—no legislative body is bound legally by a platform. But, Mr. Chairman, if there is faith in parties, if there is ever to be a party platform put out again, to which a man can subscribe or for which he can vote without a sense of futility, without a sense of being engaged in a confidence game; if all the declarations of principle by political parties are not to be regarded as false pretense, as humbug, as a parcel of lies, we must stand by the principles upon which we were all elected to this convention. There is one thing, and, in so far as I know, only one thing, that the vast majority of us have assured the people who elected us we would do in this convention, and that is that we would stand by the position of Hughes and Wadsworth. I, for one, am going to do it. If I form a correct judgment of the self-respecting men of this convention, it will be with a great company that I do it.

But, Mr. Chairman, do not let us rest on that. Why was it that these conventions, one after another, four of them, declared to the people that they were for the principle of this bill? In the first place, our knowledge of human nature shows us that the thousands of experienced men in these conventions and meetings had come to the conclusion that that principle met with the opinion of the people of the state. It is all very well for Mr. Quigg to tell us what the men he met in Columbia county said, for Mr. Green to write letters to his friends in Binghamton, but nine hundred and seventy men in that mass meeting on the fifth of December told you what their observation was, that they would commend their party to the people of this state by declaring this principle. A thousand and odd men in the Republican conventions of 1912, 1913, and 1914 have given proof conclusive of what their observation of pub-

lic opinion was. A thousand and odd men in the Democratic convention of 1914 have given proof conclusive of what their observation of public opinion was. Conventions do not put planks in platforms to drive away votes.

Again I ask, why was it that they thought that these principles would commend their tickets to the people of the state? Why was it that the people of the state had given evidence to these thousands of experienced men in the politics of the state that those principles would be popular? Well, of course, you cannot escape the conclusion that it was because the people of the state found something wrong about the government of the state.

My friend Mr. Brackett sees nothing wrong about it. He has been for fifteen years in the Senate; I suppose he could have stayed there as long as he wanted to. He is honored and respected and has his own way in Saratoga county. Why should he see anything wrong? My friend, Mr. Green, is comfortably settled in the excise department, and he sees nothing wrong.

Mr. Chairman, there never was a reform in administration in this world which did not have to make its way against the strong feeling of good, honest men concerned in existing methods of administration and who saw nothing wrong. Never. It is no impeachment to a man's honesty, his integrity, that he thinks the methods that he is familiar with and in which he is engaged are all right.

But you cannot make any improvement in this world without overriding the satisfaction that men have in the things as they are and of which they are a contented and successful part. I say that the growth, extension and general acceptance of this principle show that all these experienced politicians and citizens in all these conventions felt that the people of the state saw something wrong in our state government, and we are here charged with a duty, not of closing our eyes, but of opening them and seeing if we can what it was that was wrong.

Now anybody can see that all these 152 outlying agencies, big and little, lying around loose, accountable to nobody, spending all the money they can get, violate every principle of economy, of efficiency, of the proper transaction of business. Everyone can see that all around us are political organizations carrying on the business of government that have learned their lesson from the great business organizations which have been so phenomenally successful in recent years.

The government of our cities! Why, twenty years ago, when James Bryce wrote his "American Commonwealth," the government of American cities was a by-word and a shame for Americans all over the world. Heaven be thanked, the government of our cities has now gone far toward

redeeming itself and us from that disgrace, and the government of American cities to-day is in the main far superior to the government of American states.

I challenge contradiction to that statement. How has it been reached? How have our cities been lifted up from the low grade of incompetency and corruption on which they stood when the "American Commonwealth" was written? It has been done by applying the principles of this bill to city government, by giving power to men elected by the people to do the things for which they were elected. But I say it is quite plain that that is not all. It is not all.

I am going to discuss a subject now that goes back to the beginning of the political life of the oldest man in this convention, and one to which we cannot close our eyes if we keep the obligations of our oath. We talk about the government of the constitution. We have spent many days in discussing the powers of this and that and the other officer.

What is the government of this state? What has it been during the forty years of my acquaintance with it? The government of the constitution? Oh, no; not half the time, nor half way.

When I ask what did the people find wrong in our state government, my mind goes back to those periodic fits of public rage in which the people rouse up and tear down the political leader, first of one party and then of the other party. It goes back to the public feeling of resentment against the control of party organizations, of both parties and of all parties.

Now, I treat this subject in my own mind not as a personal question to any man. I am talking about the system. From the days of Fenton and Conkling and Arthur and Cornell and Platt, from the days of David B. Hill, down to the present time, the government of the state has presented two different lines of activity, one of the constitutional and statutory officers of the state and the other of the party leaders. They call them party bosses.

They call the system—I do not coin the phrase—I adopt it, because it carries its own meaning—the system they call "invisible government." For I do not remember how many years, Mr. Conkling was the supreme ruler in this state; the governor did not count; the legislatures did not count; comptrollers and secretaries of state and what not did not count. It was what Mr. Conkling said, and in a great outburst of public rage he was pulled down.

Then Mr. Platt ruled the state—for nigh upon twenty years he ruled it—it was not the governor, it was not the legislature, it was not any elected officer, it was Mr. Platt. And the capitol was not here; it was at 49 Broadway, with Mr. Platt and his lieutenants.

It makes no difference what name you give, whether you call it Fenton or Conkling or Cornell or Arthur or Platt, or by the names of men now living. The ruler of the state during the greater part of the forty years of my acquaintance with the state government has not been any man authorized by the constitution or by the law, and, sir, there is throughout the length and breadth of this state a deep and sullen and long-continued resentment at being governed thus by men not of the people's choosing.

The party leader is elected by no one, accountable to no one, bound by no oath of office, removable by no one. Ah! My friends here have talked about this bill's creating an autocracy. The word points with admirable facility to the very opposite reason for the bill. It is to destroy autocracy and restore power so far as may be to the men elected by the people, accountable to the people, removable by the people.

I don't criticize the men of the invisible government. How can I? I have known them all and among them have been some of my dearest friends. I can never forget the deep sense of indignation that I felt in the abuse that was heaped upon Chester A. Arthur, whom I honored and loved, when he was attacked because he held the position of political leader. But it is all wrong. It is all wrong that a government not authorized by the people should be continued superior to the government that is authorized by the people.

How is it accomplished? How is it done? Mr. Chairman, it is done by the use of patronage, and the patronage that my friends on the other side of this question have been arguing and pleading for in this convention is the power to continue that invisible government against that authorized by the people. Everywhere, sir, that these two systems of government coexist there is a conflict day by day and year by year between two principles of appointment to office, two radically opposed principles.

The elected officer, or the appointed officer, the lawful officer, who is to be held responsible for the administration of his office, desires to get men into the different positions of his office who will do their work in a way that is creditable to him and his administration.

Whether it be a president appointing a judge, or a governor appointing a superintendent of public works, whatever it may be, the officer wants to make a success and he wants to get the man selected upon the ground of his ability to do the work.

How is it about the boss? What does the boss have to do? He has to urge the appointment of a man whose appointment will consolidate his power and preserve the organization. The "invisible government" proceeds to build up and maintain its power by a reversal of the fundamental principle of good government, which is that men should be se-

lected to perform the duties of the office, and to substitute the idea that the men should be appointed to office for the preservation and enhancement in power of the political leaders. The one, the true one, looks upon appointment to office with a view to the service that can be given to the public. The other, the false one, looks upon appointment to office with a view to what can be gotten out of it.

Gentlemen of the Convention, I appeal to your knowledge of facts. Every one of you knows what I say about the use of patronage under the system of "invisible government" is true. Louis Marshall told us the other day about the appointment of wardens in the Adirondacks—hotel keepers and people living there—to render no service whatever. They were appointed not for the service that they were to render to the state; they were appointed for the service they were to render to promote the power of a political organization.

Mr. Chairman, we all know that the halls of this capitol swarm with men during the session of the legislature on payday. A great number, seldom here, rendering no service, are on the payrolls as a matter of patronage, not of service, but of party patronage. Both parties are alike. All parties are alike. The system extends through all.

Ah, Mr. Chairman, that system finds its opportunity in the division of powers, in a six-headed executive, in which, by the natural workings of human nature, there shall be opposition and discord and the playing of one force against the other, and so when we refuse to make one governor, elected by the people, the real chief executive, we make inevitable the setting up of a chief executive not selected by the people, not acting for the people's interest, but for the selfish interest of the few who control the party, whichever party it may be.

Think for a moment of what this patronage system means. How many of you are there who would be willing to do your private client, or customer, or any private trust, or to a friend or neighbor, what you see being done to the state of New York every year of your lives in the taking of money out of her treasury without service?

We can, when we are in a private station, pass on without much attention to inveterate abuses. We can say to ourselves, "I know it is wrong. I wish it could be set right, it cannot be set right. I will do nothing." But here, here, we face the duty, we cannot escape it. We are bound to do our work, face to face, in clear recognition of the truth, unpalatable, deplorable as it may be, and the truth is that what the unerring instinct of the democracy of our state has seen in this government is that a different standard of morality is applied to the conduct of affairs of state than that which is applied in private affairs.

I have been told forty times since this convention met that you can't

change it. We can try, can we not? I deny that we cannot change it. I repel that cynical assumption which is born of the lethargy that comes from poisoned air all these years.

I assert that this perversion of democracy, this robbing democracy of its virility, can be changed as truly as the system under which Walpole governed the commons of England, by bribery, as truly as the atmosphere which made the *credit mobilier* scandal possible in the congress of the United States has been blown away by the force of public opinion.

We cannot change it in a moment, but we can do our share. We can take this one step toward not robbing the people of their part in government, but toward robbing an irresponsible autocracy of its indefensible and unjust and undemocratc control of government and restoring it to the people to be exercised by the men of their choice and their control.

Mr. Chairman, this convention is a great event in the life of every man in this room. A body which sits but once in twenty years to deal with the fundamental law of the state deals not only for the present, but for the future, not only by its results, but by its example. Opportunity knocks at the door of every man in this assemblage, an opportunity which will never come again to most of us.

While millions of men are fighting and dying for their countries across the ocean, while government is become serious, sober, almost alarming in its effect upon the happiness of the lives of all that are dearest to us, it is our inestimable privilege to do something here in moving our beloved state along the pathway toward better and purer government, a more pervasive morality and a more effective exercise of the powers of government which preserve the liberty of the people.

When you go back to your homes and recall the record of the summer, you will find in it cause for your children and your children's children, who will review the convention of 1915 as we have been reviewing the work of the preceding convention, to say, "My father, my grandfather, helped to do this work for our state."

Mr. Chairman, there is a plain old house in the Oneida hills, overlooking the valley of the Mohawk, where truth and honor dwelt in my youth. When I go back, as I am about to go, to spend my declining years, I mean to go with the feeling that I have not failed to speak and to act here in accordance with the lessons I learned there from the God of my fathers. God grant that this opportunity for service to our country and our state may not be neglected by any of the men for whom I feel so deep friendship in this convention.

§ 14

THE GLORIES OF DULUTH

By James Proctor Knott

(Delivered in the House of Representatives, January 27, 1871, on the St. Croix and Bayfield Railroad Bill.)

Mr. Speaker:—If I could be actuated by any conceivable inducement to betray the sacred trust reposed in me by those to whose generous confidence I am indebted for the honor of a seat on this floor; if I could be influenced by any possible consideration to become instrumental in giving away, in violation of their known wishes, any portion of their interest in the public domain for the mere promotion of any railroad enterprise whatever, I should certainly feel a strong inclination to give this measure my most earnest and hearty support; for I am assured that its success would materially enhance the pecuniary prosperity of the most valued friends I have on earth—friends for whose accommodation I would be willing to make almost any sacrifice not involving my personal honor, or my fidelity as the trustee of an express trust. And that fact of itself would be sufficient to countervail almost any objection I might entertain to the passage of this bill, not inspired by an imperative and inexorable sense of public duty.

But, independent of the seductive influences of private friendship, to which I admit I am, perhaps, as susceptible as any of the gentlemen I see around me, the intrinsic merits of the measure itself are of such an extraordinary character as to commend it most strongly to the favorable consideration of every member of this House—myself not excepted—notwithstanding my constituents, in whose behalf alone I am acting here, would not be benefited by its passage one particle more than they would be by a project to cultivate an orange grove on the bleakest summit of Greenland's icy mountains.

Now, sir, as to those great trunk lines of railway, spanning the continent from ocean to ocean, I confess my mind has never been fully made up. It is true they may afford some trifling advantages to local traffic, and they may even in time become the channels of a more extended commerce. Yet I have never been thoroughly satisfied either

James Proctor Knott. Born at Lebanon, Ky., August 29, 1830; member of Congress in 1866-1870, 1875-1883; Governor of Kentucky, 1883 to 1887; Professor of Law and Dean of the Law Faculty of Center College, Kentucky, 1894-1901. Died June 18, 1911.

of the necessity or expediency of projects promising such meager results to the great body of our people. But with regard to the transcendent merits of the gigantic enterprise contemplated in this bill I never entertained the shadow of a doubt.

Years ago, when I first heard there was somewhere in the vast *terra incognita,* somewhere in the bleak regions of the great Northwest, a stream of water known to the nomadic inhabitants of the neighborhood as the River St. Croix, I became satisfied that the construction of a railroad from that raging torrent to some point in the civilized world was essential to the happiness and prosperity of the American people, if not absolutely indispensable to the perpetuity of republican institutions on this continent. I felt instinctively that the boundless resources of that prolific region of sand and pine shrubbery would never be fully developed without a railroad constructed and equipped at the expense of the Government—and perhaps not then. I had an abiding presentiment that some day or other the people of this whole country, irrespective of party affiliations, regardless of sectional prejudices, and "without distinction of race, color, or previous condition of servitude," would rise in their majesty and demand an outlet for the enormous agricultural productions of those vast and fertile pine barrens, drained in the rainy season by the surging waters of the turbid St. Croix.

These impressions, derived simply and solely from the "eternal fitness of things," were not only strengthened by the interesting and eloquent debate on this bill, to which I listened with so much pleasure the other day, but intensified, if possible, as I read over this morning the lively colloquy which took place on that occasion, as I find it reported in last Friday's *Globe.* I will ask the indulgence of the House while I read a few short passages, which are sufficient, in my judgment, to place the merits of the great enterprise contemplated in the measure now under discussion beyond all possible controversy.

The honorable gentleman from Minnesota [Mr. Wilson], who, I believe, is managing this bill, in speaking of the character of the country through which this railroad is to pass, says this:—

"We want to have the timber brought to us as cheaply as possible. Now, if you tie up the lands in this way so that no title can be obtained to them—for no settler will go on these lands, for he cannot make a living—you deprive us of the benefit of that timber."

Now, sir, I would not have it by any means inferred from this that the gentleman from Minnesota would insinuate that the people out in his section desire this timber merely for the purpose of fencing up their farms so that their stock may not wander off and die of starvation

among the bleak hills of the St. Croix. I read it for no such purpose, sir, and make no such comment on it myself. In corroboration of this this statement of the gentleman from Minnesota, I find this testimony given by the honorable gentleman from Wisconsin [Mr. Washburn]. Speaking of these same lands he says:—

"Under the bill, as amended by my friend from Minnesota, nine-tenths of the land is open to actual settlers at $2.50 per acre; the remaining one-tenth is pine-timbered land that is not fit for settlement, and never will be settled upon; but the timber will be cut off. I admit that it is the most valuable portion of the grant, for most of the grant is not valuable. It is quite valueless; and if you put in this amendment of the gentleman from Indiana you may as well just kill the bill, for no man and no company will take the grant and build the road."

I simply pause here to ask some gentleman better versed in the science of mathematics than I am to tell me if the timbered lands are in fact the most valuable portion of that section of the country, and they would be entirely valuless without the timber that is on them, what the remainder of the land is worth which has no timber on it at all.

But further on I find a most entertaining and instructive interchange of views between the gentleman from Arkansas [Mr. Rogers], the gentleman from Wisconsin [Mr. Washburn], and the gentleman from Maine [Mr. Peters], upon the subject of pine lands generally, which I tax the patience of the House to read:—

Mr. Rogers—Will the gentleman allow me to ask him a question?

Mr. Washburn, of Wisconsin—Certainly.

Mr. Rogers—Are these pine lands entirely worthless except for timber?

Mr. Washburn, of Wisconsin—They are generally worthless for any other purpose. I am perfectly familiar with that subject. These lands are not valuable for purposes of settlement.

Mr. Farnsworth—They will be after the timber is taken off.

Mr. Washburn, of Wisconsin—No, sir.

Mr. Rogers—I want to know the character of these pine lands.

Mr. Washburn, of Wisconsin—They are generally sandy, barren lands. My friend from the Green Bay district [Mr. Sawyer] is himself perfectly familiar with this question, and he will bear me out in what I say, that these pine-timber lands are not adapted to settlement.

Mr. Rogers—The pine lands to which I am accustomed are generally very good. What I want to know is, what is the difference between our pine lands and your pine lands.

Mr. Washburn, of Wisconsin—The pine timber of Wisconsin generally grows upon barren, sandy land. The gentleman from Maine [Mr. Peters],

who is familiar with pine lands, will, I have no doubt, say that pine timber grows generally upon the most barren lands.

Mr. Peters—As a general thing, pine lands are not worth much for cultivation.

And further on I find this pregnant question, the joint production of the two gentlemen form Wisconsin:—

Mr. Paine—Does my friend from Indiana suppose that in any event settlers will occupy and cultivate these pine lands?

Mr. Washburn, of Wisconsin—Particularly without a railroad?

Yes, sir, "particularly without a railroad." It will be asked after awhile, I am afraid, if settlers will go anywhere unless the Government builds a railroad for them to go on.

I desire to call attention to only one more statement, which I think sufficient to settle the question. It is one made by the gentleman from Wisconsin [Mr. Paine], who says:—

"These lands will be abandoned for the present. It may be that at some remote period there will spring up in that region a new kind of agriculture which will cause a demand for these particular lands; and they may then come into use and be valuable for agricultural purposes. But I know, and I cannot help thinking that my friend from Indiana understands that for the present, and for many years to come, these pine lands can have no possible value other than that arising from the pine timber which stands on them."

Now, sir, who, after listening to this emphatic and unequivocal testimony of these intelligent, competent, and able-bodied witnesses, who that is not as incredulous as St. Thomas himself will doubt for a moment that the Goshen of America is to be found in the sandy valleys and upon the pine-clad hills of the St. Croix? Who will have the hardihood to rise in his seat on this floor and assert that, excepting the pine bushes, the entire region would not produce vegetation enough in ten years to fatten a grasshopper? Where is the patriot who is willing that his country shall incur the peril of remaining another day without the amplest railroad connection with such an inexhaustible mine of agricultural wealth? Who will answer for the consequences of abandoning a great and warlike people, in possession of a country like that, to brood over the indifference and neglect of their Government? How long would it be before they would take to studying the Declaration of Independence and hatching out the damnable heresy of Secession? How long before the grim demon of civil discord would rear again his horrid head in our midst, "gnash loud his iron fangs and shake his crest of bristling bayonets"?

Then, sir, think of the long and painful process of reconstruction that must follow, with its concomitant amendments to the Constitution: the seventeenth, eighteenth, and nineteenth articles. The sixteenth, it is of course understood, is to be appropriated to those blushing damsels who are, day after day, beseeching us to let them vote, hold office, drink cocktails, ride a-straddle, and do everything else the men do. But above all, sir, let me implore you to reflect for a single moment on the deplorable condition of our country in case of a foreign war, with all our ports blockaded, all our cities in a state of siege, the gaunt specter of famine brooding like a hungry vulture over our starving land; our commissary stores all exhausted, and our famishing armies withering away in the field, a helpless prey to the insatiate demon of hunger; our navy rotting in the docks for want of provisions for our gallant seamen, and we without any railroad communications whatever with the prolific pine thickets of the St. Croix!

Ah, sir, I can very well understand why my amiable friends from Pennsylvania [Mr. Myers, Mr. Kelley, and Mr. O'Neill] should have been so earnest in their support of this bill the other day, and if their honorable colleague, my friend Mr. Randall, will pardon the remark, I will say I considered his criticism of their action on that occasion as, not only unjust, but ungenerous. I knew they were looking forward with the far-reaching ken of enlightened statesmanship to the pitiable condition in which Philadelphia will be left unless speedily supplied with railroad connection in some way or other with this garden spot of the universe. And besides, sir, this discussion has relieved my mind of a mystery that has weighed upon it like an incubus for years. I could never understand before why there was so much excitement during the last Congress over the acquisition of Alta Vela. I could never understand why it was that some of our ablest statesmen and most disinterested patriots should entertain such dark forebodings of the untold calamities that were to befall our beloved country unless we should take immediate possession of that desirable island. But I see now that they were laboring under the mistaken impression that the Government would need the guano to manure the public lands on the St. Croix.

Now, sir, I repeat I have been satisfied for years that if there was any portion of the inhabited globe absolutely in a suffering condition for want of a railroad, it was these teeming pine barrens of the St. Croix. At what particular point on that noble stream such a road should be commenced, I knew was immaterial, and so it seems to have been considered by the draftsmen of this bill. It might be up at the spring, or down at the foot log, or the water-gate, or the fish-dam, or anywhere along the bank, no matter where. But in what direction it should run,

or where it should terminate, were always to my mind questions of the most painful perplexity. I could conceive of no place on "God's green earth" in such straitened circumstances for railroad facilities as to be likely to desire or willing to accept such a connection. I knew that neither Bayfield nor Superior City would have it, for they both indignantly spurned the munificence of the Government when coupled with such ignominious conditions, and let this very same land grant die on their hands years and years ago rather than submit to the degradation of a direct communication by railroad with the piny woods of the St. Croix; and I knew that what the enterprising inhabitants of those giant young cities would refuse to take would have few charms for others, whatever their necessities or cupidity might be.

Hence, as I have said, sir, I was utterly at a loss to determine where the terminus of this great and indispensable road should be, until I accidentally overheard some gentleman the other day mention the name of "Duluth." Duluth! That word fell upon my ear with peculiar and indescribable charm, like the gentle murmur of a low fountain stealing forth in the midst of roses, or the soft, sweet accents of an angel's whisper in the bright, joyous dream of sleeping innocence. Duluth! 'Twas the name for which my soul had panted for years, as the hart panteth for the water-brooks. But where was Duluth? Never, in all my limited reading, had my vision been gladdened by seeing the celestial word in print. And I felt a profounder humiliation in my ignorance that its dulcet syllables had never before ravished my delighted ear. I was certain the draftsmen of this bill had never heard of it, or it would have been designated as one of the termini of this road. I asked my friends about it, but they knew nothing of it. I rushed to the library and examined all the maps I could find. I discovered in one of them a delicate hair-like line, diverging from the Mississippi near a place marked Prescott, which I suppose was intended to represent the river St. Croix, but I could nowhere find Duluth.

Nevertheless, I was confident it existed somewhere, and that its discovery would constitute the crowning glory of the present century, if not of all modern times. I knew it was bound to exist in the very nature of things; that the symmetry and perfection of our planetary system would be incomplete without it; that the elements of material nature would long since have resolved themselves back into original chaos if there had been such a hiatus in creation as would have resulted from leaving out Duluth. In fact, sir, I was overwhelmed with the conviction that Duluth not only existed somewhere, but that, wherever it was, it was a great and glorious place. I was convinced that the greatest calamity that ever befell the benighted nations of the world was in their

having passed away without a knowledge of actual existence of Duluth; that their fabled Atlantis, never seen save by the hallowed vision of inspired poesy, was, in fact, but another name for Duluth; that the golden orchard of the Hesperides was but a poetical synonym for the beer-gardens in the vicinity of Duluth. I was certain that Herodotus had died a miserable death, because in all his travels and with all his geographical research he had never heard of Duluth. I knew that if the immortal spirit of Homer could look down from another heaven than that created by his own celestial genius upon the long lines of pilgrims from every nation of the earth to the gushing fountain of poesy opened by the touch of his magic wand;—if he could be permitted to behold the vast assemblage of grand and glorious productions of the lyric art called into being by his own inspired strains, he would weep tears of bitter anguish that, instead of lavishing all the stores of his mighty genius upon the fall of Ilion, it had not been his more blessed lot to crystallize in deathless song the rising glories of Duluth. Yet, sir, had it not been for this map, kindly furnished me by the legislature of Minnesota, I might have gone down to my obscure and humble grave in an agony of despair, because I could nowhere find Duluth. Had such been my melancholy fate, I have no doubt that with the last feeble pulsation of my breaking heart, with the last faint exhalation of my fleeting breath, I should have whispered: "Where is Duluth?"

But thanks to the beneficence of that band of ministering angels who have their bright abodes in the far-off capital of Minnesota, just as the agony of my anxiety was about to culminate in the frenzy of despair, this blessed map was placed in my hands; and as I unfolded it a resplendent scene of ineffable glory opened before me, such as I imagine burst upon the enraptured vision of the wandering peri through the opening of Paradise. There, there for the first time, my enchanted eye rested upon the ravishing word, "Duluth."

This map, sir, is intended, as it appears from its title, to illustrate the position of Duluth in the United States; but if gentlemen will examine it, I think they will concur with me in the opinion that it is far too modest in its pretensions. It not only illustrates the position of Duluth in the United States, but exhibits its relations with all created things. It even goes further than this. If lifts the shadowy veil of futurity and affords us a view of the golden prospects of Duluth far along the dim vista of ages yet to come.

If gentlemen will examine it, they will find Duluth, not only in the center of the map, but represented in the center of a series of concentric circles one hundred miles apart, and some of them as much as four thousand miles in diameter, embracing alike, in their tremendous sweep, the

fragrant savannas of the sunlit South and the eternal solitudes of snow that mantle the ice-bound North. How these circles were produced is, perhaps, one of the most primordial mysteries that the most skilful paleologist will never be able to explain. But the fact is, sir, Duluth is preëminently a central place, for I am told by gentlemen who have been so reckless of their own personal safety as to venture away into those awful regions where Duluth is supposed to be, that it is so exactly in the center of the visible universe that the sky comes down at precisely the same distance all around it.

I find by reference to this map that Duluth is situated somewhere near the western end of Lake Superior; but as there is no dot or other mark indicating its exact location, I am unable to say whether it is actually confined to any particular spot, or whether "it is just lying around there loose." I really cannot tell whether it is one of those ethereal creations of intellectual frostwork, more intangible than the rose-tinted clouds of a summer sunset; one of those airy exhalation of the speculator's brain, which I am told are ever flitting in the form of towns and cities along those lines of railroad, built with Government subsidies, luring the unwary settler as the mirage of the desert lures the famishing traveler on, and ever on, until it fades away in the darkening horizon; or whether it is a real, *bona fide,* substantial city, all "staked off," with the lots marked with their owners' names, like that proud commercial metropolis recently discovered on the desirable shores of San Domingo. But, however that may be I am satisfied Duluth is there, or thereabout, for I see it stated here on this map that it is exactly thirty-nine hundred and ninety miles from Liverpool, though I have no doubt, for the sake of convenience, it will be moved back ten miles, so as to make the distance an even four thousand.

Then, sir, there is the climate of Duluth, unquestionably the most salubrious and delightful to be found anywhere on the Lord's earth. Now, I have always been under the impression, as I presume other gentlemen have, that in the region around Lake Superior it was cold enough for at least nine months in the year to freeze the smoke-stack off a locomotive. But I see it represented on this map that Duluth is situated exactly halfway between the latitudes of Paris and Venice, so that gentlemen who have inhaled the exhilarating airs of the one, or basked in the golden sunlight of the other, may see at a glance that Duluth must be a place of untold delights, a terrestrial paradise, fanned by the balmy zephyrs of an eternal spring, clothed in the gorgeous sheen of ever-blooming flowers, and vocal with the silvery melody of nature's choicest songsters. In fact, sir, since I have seen this map, I have no doubt that Byron was vainly endeavoring to convey some faint concep-

tion of the delicious charms of Duluth when his poetic soul gushed forth in the rippling strains of that beautiful rhapsody:—

"Know ye the land of the cedar and vine,
Where the flowers ever blossom, the beams ever shine;
Where the light wings of zephyr, oppressed with perfume,
Wax faint o'er the gardens of Gul in her bloom;

Where the citron and olive are fairest of fruit,
And the voice of the nightingale never is mute;
Where the times of the earth and the lines of the sky,
In color though varied, in beauty may vie?"

As to the commercial resources of Duluth, sir, they are simply illimitable and inexhaustible, as is shown by this map. I see it stated here that there is a vast scope of territory, embracing an area of over two million square miles, rich in every element of material wealth and commercial property, all tributary to Duluth. Look at it, sir! [pointing to the map]. Here are inexhaustible mines of gold; immeasurable veins of silver; impenetrable depths of boundless forest; vast coal-measures; wide, extended plains of richest pasturage—all, all embraced in this vast territory, which must, in the very nature of things, empty the untold treasures of its commerce into the lap of Duluth.

Look at it, sir! [again pointing to the map]. Do not you see from these broad, brown lines drawn around this immense territory that the enterprising inhabitants of Duluth intend some day to inclose it all in one vast corral, so that its commerce will be bound to go there whether it would or not? And here, sir [still pointing to the map], I find within a convenient distance the Piegan Indians, which, of all the many accessories to the glory of Duluth, I consider by far the most inestimable. For, sir, I have been told that when the smallpox breaks out among the women and children of that famous tribe, as it sometimes does, they afford the finest subjects in the world for the strategical experiments of any enterprising military hero who desires to improve himself in the noble art of war, especially for any valiant lieutenant-general whose—

"Trenchant blade, Toledo trusty
For want of fighting has gone rusty,
And eats into itself for lack
Of somebody to hew and hack."

Sir, the great conflict now raging in the Old World has presented a phenomenon in military science unprecedented in the annals of mankind

—a phenomenon that has reversed all the traditions of the past as it has disappointed all the expectations of the present. A great and warlike people, renowned alike for their skill and valor, have been swept away before the triumphant advance of an inferior foe, like autumn stubble before a hurricane of fire. For aught I know, the next flash of electric fire that shimmers along the ocean cable may tell us that Paris, with every fiber quivering with the agony of impotent despair, writhes beneath the conquering heel of her loathed invader. Ere another moon shall wax and wane, the brightest star in the galaxy of nations may fall from the zenith of her glory never to rise again. Ere the modest violets of early spring shall open their beauteous eyes, the genius of civilization may chant the wailing requiem of the proudest nationality the world has ever seen, as she scatters her withered and tear-moistened lilies o'er the bloody tomb of butchered France. But, sir, I wish to ask if you honestly and candidly believe that the Dutch would have ever overrun the French in that kind of style if General Sheridan had not gone over there and told King William and Von Moltke how he had managed to whip the Piegan Indians!

And here, sir, recurring to this map, I find in the immediate vicinity of the Piegans "vast herds of buffalo" and "immense fields of rich wheat lands." [Here the hammer fell. Many cries: "Go on! Go on!" No objection being heard, the speaker was permitted to continue.]

I was remarking, sir, upon these vast "wheat fields" represented on this map in the immediate neighborhood of the buffaloes and the Piegans, and was about to say that the idea of there being these immense wheat fields in the very heart of a wilderness, hundreds and hundreds of miles beyond the utmost verge of civilization, may appear to some gentlemen as rather incongruous, as rather too great a strain on the "blankets" of veracity. But to my mind there is no difficulty in the matter whatever. The phenomenon is very easily accounted for. It is evident, sir, that the Piegans sowed that wheat there and plowed it with buffalo bulls. Now, sir, this fortunate combination of buffaloes and Piegans, considering their relative positions to each other and to Duluth, as they are arranged on this map, satisfies me that Duluth is destined to be the beef market of the world.

Here, you will observe [pointing to the map] are the buffaloes, directly between the Piegans and Duluth; and here, right on the road to Duluth, are the Creeks. Now, sir, when the buffaloes are sufficiently fat from grazing on these immense wheat fields, you see it will be the easiest thing in the world for the Piegans to drive them on down, stay all night with their friends, the Creeks, and go into Duluth in the morning. I think I see them now, sir, a vast herd of buffaloes, with their

heads down, their eyes glaring, their nostrils dilated, their tongues out, and their tails curled over their backs, tearing along toward Duluth, with about a thousand Piegans on their grass-bellied ponies, yelling at their heels. On they come! And as they sweep past the Creeks they join in the chase, and away they all go, yelling, bellowing, ripping, and tearing along, amid clouds of dust, until the last buffalo is safely penned in the stockyards of Duluth!

Sir, I might stand here for hours and hours, and expatiate with rapture upon the gorgeous prospects of Duluth, as depicted upon this map. But human life is too short and the time of this House far too valuable to allow me to linger longer upon the delightful theme. I think every gentleman on this floor is as well satisfied as I am that Duluth is destined to become the commercial metropolis of the universe, and that this road should be built at once. I am fully persuaded that no patriotic Representative of the American people, who has a proper appreciation of the associated glories of Duluth and the St. Croix, will hesitate a moment to say that every able-bodied female in the land between the ages of eighteen and forty-five who is in favor of "women's rights" should be drafted and set to work upon this great work without delay. Nevertheless, sir, it grieves my very soul to be compelled to say that I cannot vote for the grant of lands provided for in this bill.

Ah! sir, you can have no conception of the poignancy of my anguish that I am deprived of that blessed privilege! There are two insuperable obstacles in the way. In the first place, my constituents, for whom I am acting here, have no more interest in this road than they have in the great question of culinary taste now perhaps agitating the public mind of Dominica, as to whether the illustrious commissioners who recently left this capital for that free and enlightened republic would be better fricasseed, boiled, or roasted, and in the second place these lands, which I am asked to give away, alas, are not mine to bestow! My relation to them is simply that of trustee to an express trust. And shall I ever betray that trust? Never, sir! Rather perish Duluth! Perish the paragon of cities! Rather let the freezing cyclones of the bleak Northwest bury it forever beneath the eddying sands of the raging St. Croix!

§ 15

LIBERTY OR DEATH

By Patrick Henry

(Delivered at Richmond, in the Virginia Convention, on a Resolution to put the Commonwealth into a State of Defense, March 23, 1775; no exact copy preserved. Reconstructed by one of his biographers from the recollections of men who heard it.)

Mr. President: No man thinks more highly than I do of the patriotism, as well as abilities, of the very worthy gentlemen who have just addressed the house. But different men often seen the same subject in different lights; and, therefore, I hope it will not be thought disrespectful to those gentlemen, if, entertaining as I do opinions of a character very opposite to theirs, I shall speak forth my sentiments freely and without reserve. This is no time for ceremony. The question before the house is one of awful moment to this country. For my own part, I consider it as nothing less than a question of freedom or slavery; and in proportion to the magnitude of the subject ought to be the freedom of the debate. It is only in this way that we can hope to arrive at truth, and fulfil the great responsibility which we hold to God and our country. Should I keep back my opinions at such a time, through fear of giving offense, I should consider myself as guilty of treason towards my country, and of an act of disloyalty toward the Majesty of Heaven, which I revere above all earthly kings.

Mr. President, it is natural to man to indulge in the illusions of hope. We are apt to shut our eyes against a painful truth, and listen to the song of that siren, till she transforms us into beasts. Is this the part of wise men, engaged in a great and arduous struggle for liberty? Are we disposed to be of the number of those, who, having eyes, see not, and having ears, hear not, the things which so nearly concern their temporal salvation? For my part, whatever anguish of spirit it may cost, I am willing to know the whole truth; to know the worst, and to provide for it.

I have but one lamp by which my feet are guided, and that is the lamp of experience. I know of no way of judging of the future but by the past. And judging by the past, I wish to know what there has been in the conduct of the British ministry for the last ten years to justify

Patrick Henry. Born at Studley, Hanover County, Virginia, May 29, 1736, and died in Charlotte County, Virginia, June 6, 1779; admitted to the bar in 1760; the first Governor of the State of Virginia, 1776 to 1779.

those hopes with which gentlemen have been pleased to solace themselves and the house. Is it that insidious smile with which our petition has been lately received? Trust it not, sir; it will prove a snare to your feet. Suffer not yourselves to be betrayed with a kiss. Ask yourselves how this gracious reception of our petition comports with those warlike preparations which cover our waters and darken our land. Are fleets and armies necessary to a work of love and reconciliation? Have we shown ourselves so unwilling to be reconciled, that force must be called in to win back our love? Let us not deceive ourselves, sir. These are the implements of war and subjugation; the last arguments to which kings resort. I ask gentlemen, sir, What means this martial array, if its purpose be not to force us to submission? Can gentlemen assign any other possible motive for it? Has Great Britain any enemy, in this quarter of the world, to call for all this accumulation of navies and armies? No, sir, she has none. They are meant for us: they can be meant for no other. They are sent over to bind and rivet upon us those chains which the British ministry have been so long forging. And what have we to oppose to them? Shall we try argument? Sir, we have been trying that for the last ten years. Have we anything new to offer upon the subject? Nothing. We have held the subject up in every light of which it is capable; but it has been all in vain. Shall we resort to entreaty and humble supplication? What terms shall we find, which have not been already exhausted? Let us not, I beseech you, sir, deceive ourselves longer. Sir, we have done everything that could be done, to avert the storm which is now coming on. We have petitioned; we have remonstrated; we have supplicated; we have prostrated ourselves before the throne, and have implored its interposition to arrest the tyrannical hands of the ministry and Parliament. Our petitions have been slighted; our remonstrances have produced additional violence and insult; our supplications have been disregarded; and we have been spurned, with contempt, from the foot of the throne! In vain, after these things, may we indulge the fond hope of peace and reconciliation. There is no longer any room for hope. If we wish to be free—if we mean to preserve inviolate those inestimable privileges for which we have been so long contending—if we mean not basely to abandon the noble struggle in which we have been so long engaged, and which we have pledged ourselves never to abandon, until the glorious object of our contest shall be obtained—we must fight! I repeat it, sir, we must fight! An appeal to arms and to the God of Hosts is all that is left us!

They tell us, sir, that we are weak; unable to cope with so formidable an adversary. But when shall we be stronger? Will it be the next week, or the next year? Will it be when we are totally disarmed, and

when a British guard shall be stationed in every house? Shall we gather strength by irresolution and inaction? Shall we acquire the means of effectual resistance by lying supinely on our backs and hugging the delusive phantom of hope, until our enemies shall have bound us hand and foot? Sir, we are not weak, if we make a proper use of those means which the God of nature hath placed in our power. Three millions of people, armed in the holy cause of liberty, and in such a country as that which we possess, are invincible by any force which our enemy can send against us. Besides, sir, we shall not fight our battles alone. There is a just God who presides over the destinies of nations, and who will raise up friends to fight our battles for us. The battle, sir, is not to the strong alone; it is to the vigilant, the active, the brave. Besides, sir, we have no election. If we were base enough to desire it, it is now too late to retire from the contest. There is no retreat, but in submission and slavery! Our chains are forged! Their clanking may be heard on the plains of Boston! The war is inevitable—and let it come! I repeat it, sir, let it come.

It is in vain, sir, to extenuate the matter. Gentlemen may cry, Peace, Peace—but there is no peace. The war is actually begun! The next gale that sweeps from the north will bring to our ears the clash of resounding arms! Our brethren are already in the field! Why stand we here idle? What is it that gentlemen wish? What would they have? Is life so dear, or peace so sweet, as to be purchased at the price of chains and slavery? Forbid it, Almighty God! I know not what course others may take; but as for me, give me liberty or give me death!

§ 16

INVECTIVE AGAINST CORRY

By Henry Grattan

(Delivered in the Irish Parliament, February 14, 1800.)

Has the gentleman done? Has he completely done? He was unparliamentary from the beginning to the end of his speech. There was scarce a word he uttered that was not a violation of the privileges of the House; but I did not call him to order—why? because the limited talents of some men render it impossible for them to be severe without being unparliamentary. But before I sit down, I shall show him how to be severe and parliamentary at the same time. On any other occa-

See page 198.

sion I should think myself justifiable in treating with silent contempt anything which might fall from that honorable Member; but there are times when the insignificance of the accuser is lost in the magnitude of the accusation. I know the difficulty the honorable gentleman labored under when he attacked me, conscious that, on a comparative view of our characters, public and private, there is nothing he could say which would injure me. The public would not believe the charge. I despise the falsehood. If such a charge were made by an honest man, I would answer it in the manner I shall do before I sit down. But I shall first reply to it when not made by an honest man.

The right honorable gentleman has called me "an unimpeached traitor." I ask, why not "traitor," unqualified by any epithet? I will tell him; it was because he dare not. It was the act of a coward, who raises his arm to strike, but has not courage to give the blow. I will not call him villain, because it would be unparliamentary, and he is a privy counselor. I will not call him fool, because he happens to be Chancellor of the Exchequer. But I say he is one who has abused the privilege of Parliament and freedom of debate to the uttering language, which, if spoken out of the House, I should answer only with a blow. I care not how high his situation, how low his character, how contemptible his speech; whether a privy counselor or a parasity, my answer would be a blow. He has charged me with being connected with the rebels: the charge is utterly, totally, and meanly false. Does the honorable gentleman rely on the report of the House of Lords for the foundation of his assertion? If he does, I can prove to the committee there was a physical impossibility of that report being true. But I scorn to answer any man for my conduct, whether he be a political coxcomb, or whether he brought himself into power by a false glare of courage or not. I scorn to answer any wizard of the Castle throwing himself into fantastical airs. But if an honorable and independent man were to make a charge against me, I would say: "You charge me with having an intercourse with the rebels, and you found your charge upon what is said to have appeared before a committee of the lords. Sir, the report of that committee is totally and egregiously irregular." I will read a letter from Mr. Nelson, who had been examined before that committee; it states that what the report represents him as having spoken, is not what he said.

From the situation that I held, and from the connections I had in the city of Dublin, it was necessary for me to hold intercourse with various descriptions of persons. The right honorable Member might as well have been charged with a participation in the guilt of those traitors; for he had communicated with some of those very persons on the sub-

ject of parliamentary reform. The Irish Government, too, were in communication with some of them.

The right honorable Member has told me I deserted a profession where wealth and station were the reward of industry and talent. If I mistake not, that gentleman endeavored to obtain those rewards by the same means; but he soon deserted the occupation of a barrister for those of a parasite and pander. He fled from the labor of study to flatter at the table of the great. He found the lord's parlor a better sphere for his exertions than the hall of the Four Courts; the house of a great man a more convenient way to power and place; and that it was easier for a statesman of middling talents to sell his friends, than for a lawyer of no talents to sell his clients.

For myself, whatever corporate or other bodies have said or done to me, I from the bottom of my heart forgive them. I feel I have done too much for my country to be vexed at them. I would rather that they should not feel or acknowledge what I have done for them, and call me traitor, than have reason to say I sold them. I will always defend myself against the assassin; but with large bodies it is different. To the people I will bow: they may be my enemy—I never shall be theirs.

At the emancipation of Ireland, in 1782, I took a leading part in the foundation of that Constitution which is now endeavored to be destroyed. Of that Constitution I was the author; in that Constitution I glory; and for it the honorable gentleman should bestow praise, not invent calumny. Notwithstanding my weak state of body, I come to give my last testimony against this Union, so fatal to the liberties and interests of my country. I come to make common cause with these honorable and virtuous gentlemen around me; to try and save the Constitution; or if not to save the Constitution, at least to save our characters, and remove from our graves the foul disgrace of standing apart while a deadly blow is aimed at the independence of our country.

The right honorable gentleman says I fled from the country after exciting rebellion, and that I have returned to raise another. No such thing. The charge is false. The civil war had not commenced when I left the kingdom; and I could not have returned without taking a part. On the one side there was the camp of the rebel; on the other, the camp of the minister, a greater traitor than that rebel. The stronghold of the Constitution was nowhere to be found. I agree that the rebel who rose against the Government should have suffered; but I missed on the scaffold the right honorable gentleman. Two desperate parties were in arms against the Constitution. The right honorable gentleman belonged to one of those parties, and deserved death. I could not join the rebel —I could not join the Government—I could not join torture—I could

not join half-hanging—I could not join free quarter—I could take part with neither. I was therefore absent from a scene where I could not be active without self reproach, nor indifferent with safety.

Many honorable gentlemen thought differently from me; I respect their opinions, but I keep my own; and I think now, as I thought then, that the treason of the minister against the liberties of the people was infinitely worse than the rebellion of the people against the minister.

I have returned, not as the right honorable Member has said, to raise another storm; I have returned to discharge an honorable debt of gratitude to my country, that conferred a great reward for past services, which, I am proud to say, was not greater than my desert. I have returned to protect the Constitution, of which I was the parent and the founder, from the assassination of such men as the honorable gentleman and his unworthy associates. They are corrupt; they are seditious; and they, at this very moment, are in a conspiracy against their country. I have returned to refute a libel as false as it is malicious, given to the public under the appellation of a report of a committee of the lords. Here I stand ready for impeachment or trial; I dare accusation. I defy the honorable gentleman; I defy the Government; I defy their whole phalanx; let them come forth. I tell the ministers I will neither give them quarter nor take it. I am here to lay the shattered remains of my constitution on the floor of this House in defense of the liberties of my country.

CHAPTER III

CAMPAIGN SPEECHES

§ 17

THE REPEAL OF THE UNION

By Daniel O'Connell

(Hill of Tara, August 15, 1843.)

FELLOW-IRISHMEN: It would be the extreme of affectation in me to suggest that I have not some claim to be the leader of this majestic meeting. It would be worse than affectation; it would be driveling folly, if I were not to feel the awful responsibility to my country and my Creator which the part I have taken in this mighty movement imposes on me. Yes; I feel the tremendous nature of that responsibility. Ireland is roused from one end to the other. Her multitudinous population has but one expression and one wish, and that is for the extinction of the Union and the restoration of her nationality. (*A cry of* "No compromise!") Who talks of compromise? I have come here, not for the purpose of making a schoolboy's attempt at declamatory eloquence, not to exaggerate the historical importance of the spot on which we now stand, or to endeavor to revive in your recollection any of those poetic imaginings respecting it which have been as familiar as household words. But this it is impossible to conceal or deny, that Tara is surrounded by historical reminiscences which give it an importance worthy of being considered by everyone who approaches it for political purposes, and an elevation in the public mind which no other part of Ireland possesses. We are standing upon Tara of the Kings; the spot where the monarchs of Ireland were elected, and where the chieftains of Ireland bound themselves, by the most solemn pledges of honor, to protect their native land against the Dane and every stranger. This was emphatically the spot from which emanated every social power and legal authority

DANIEL O'CONNELL. Born at Carhen, County Kerry, Ireland, August 6, 1775; educated at the Colleges of St. Omer and Douay; admitted to the Irish bar in 1798; in 1828 elected to the English Parliament; died at Genoa, Italy, May 15, 1847.

by which the force of the entire country was concentrated for the purposes of national defense.

On this spot I have a most important duty to perform. I here protest, in the name of my country and in the name of my God, against the unfounded and unjust Union. My proposition to Ireland is that the Union is not binding on her people. It is void in conscience and in principle, and as a matter of constitutional law I attest these facts. Yes, I attest by everything that is sacred, without being profane, the truth of my assertions. There is no real union between the two countries, and my proposition is that there was no authority given to anyone to pass the Act of Union. Neither the English nor the Irish Legislature was competent to pass that Act, and I arraign it on these grounds. One authority alone could make that Act binding, and that was the voice of the people of Ireland. The Irish Parliament was elected to make laws and not to make legislatures; and, therefore, it had no right to assume the authority to pass the Act of Union. The Irish Parliament was elected by the Irish people as their trustees; the people were their masters, and the members were their servants, and had no right to transfer the property to any other power on earth. If the Irish Parliament had transferred its power of legislation to the French Chamber, would any man assert that the Act was valid? Would any man be mad enough to assert it; would any man be insane enough to assert it, and would the insanity of the assertion be mitigated by sending any number of members to the French Chamber? Everybody must admit that it would not. What care I for France?—and I care as little for England as for France, for both countries are foreign to me. The very highest authority in England has proclaimed us to be aliens in blood, in religion, and in language. (*Groans.*) Do not groan him for having proved himself honest on one occasion by declaring my opinion. But to show the invalidity of the Union I could quote the authority of Locke on "Parliament." I will, however, only detain you by quoting the declaration of Lord Plunket in the Irish Parliament, who told them that they had no authority to transfer the legislation of the country to other hands. As well, said he, might a maniac imagine that the blow by which he destroys his wretched body annihilates his immortal soul, as you to imagine that you can annihilate the soul of Ireland—her constitutional rights.

I need not detain you by quoting authorities to show the invalidity of the Union. I am here the representative of the Irish nation, and in the name of that moral, temperate, virtuous, and religious people, I proclaim the Union a nullity. Saurin, who had been the representative of the Tory party for twenty years, distinctly declared that the Act of Union was invalid. He said that the Irish House of Commons had no

right, had no power, to pass the Union, and that the people of Ireland would be justified, the first opportunity that presented itself, in effecting its repeal. So they are. The authorities of the country were charged with the enactment, the alteration, or the administration of its laws. These were their powers; but they had no authority to alter or overthrow the Constitution. I therefore proclaim the nullity of the Union. In the face of Europe I proclaim its nullity. In the face of France, especially, and of Spain, I proclaim its nullity; and I proclaim its nullity in the face of the liberated States of America. I go farther, and proclaim its nullity on the grounds of the iniquitous means by which it was carried. It was effected by the most flagrant fraud. A rebellion was provoked by the Government of the day, in order that they might have a pretext for crushing the liberties of Ireland. There was this addition to the fraud, that at the time of the Union Ireland had no legal protection. The Habeas Corpus Act was suspended, and the lives and liberties of the people were at the mercy of courts-martial. You remember the shrieks of those who suffered under martial law. One day from Trim the troops were marched out and made desolate the country around them. No man was safe during the entire time the Union was under discussion. The next fraud was that the Irish people were not allowed to meet to remonstrate against it. Two county meetings, convened by the High Sheriffs of these counties, pursuant to requisitions presented to them, were dispersed at the point of the bayonet. In King's County the High Sheriff called the people together in the Court-house, and Colonel Connor of the North Cork Militia, supported by artillery and a troop of horse, entered the Court-house at the head of two hundred of his regiment and turned out the Sheriff, Magistrates, Grand Jurors, and freeholders assembled to petition against the enactment of the Union. (*A voice.*—"We'll engage they won't do it now!") In Tipperary a similar scene took place. A meeting convened by the High Sheriff was dispersed at the point of the bayonet. Thus public sentiment was stifled; and if there was a compact, as is alleged, it is void on account of the fraud and force by which it was carried. But the voice of Ireland, though forcibly suppressed at public meetings, was not altogether dumb. Petitions were presented against the Union to which were attached no less than 770,000 signatures. And there were not 3,000 signatures for the Union, notwithstanding all the Government could do.

My next impeachment against the Union is the gross corruption with which it was carried. No less than £1,275,000 was spent upon the rotten boroughs, and £2,000,000 was given in direct bribery. There was not one office that was not made instrumental to the carrying of the measure. Six to seven judges were raised to the Bench for the votes they gave in

its support; and no less than twelve bishops were elevated to the Episcopal Bench for having taken the side of the Union; for corruption then spared nothing to effect its purpose—corruption was never carried so far; and if this is to be binding on the Irish nation, there is no use in honesty at all. Yet in spite of all the means employed, the enemies of Ireland did not succeed at once. There was a majority of eleven against the Union the first time. But before the proposition was brought forward a second time, members who could not be influenced to vote for the measure were bribed to vacate their seats, to which a number of English and Scotch officers, brought over for the purpose, were elected, and by their votes the Union was carried. In the name of the great Irish nation I proclaim it a nullity. At the time of the Union the national debt of Ireland was only £20,000,000. The debt of England was £440,000,000. England took upon herself one-half the Irish debt, but she placed upon Ireland one-half of the £440,000,000. England since that period has doubled her debt, and admitting a proportionate increase as against Ireland, the Irish debt would not now be more than £40,000,000; and you may believe me when I say it in the name of the great Irish people, that we will never pay one shilling more. In fact, we owe but £30,000, as is clearly demonstrated in a book lately published by a near and dear relative of mine, Mr. John O'Connell, the member for Kilkenny. I am proud that a son of mine will be able, when the Repeal is carried, to meet any of England's financiers, and to prove to them the gross injustice inflicted upon Ireland.

My next impeachment of the Union is its destructive and deleterious effect upon the industry and prosperity of the country. The county of Meath was once studded with noble residences. What is it now? Even on the spot where what is called the great Duke of Wellington was born, instead of a splendid castle or noble residence, the briar and the bramble attest the treachery that produced them. You remember the once prosperous linen-weavers of Meath. There is scarcely a penny paid to them now. In short, the Union struck down the manufactures of Ireland. The Commissioners of the Poor Law prove that 120,000 persons in Ireland are in a state of destitution during the greater part of each year. How is it that in one of the most fertile countries in the world this should occur? The Irish never broke any of their bargains nor their treaties, and England never kept one that was made on her part. There is now a union of the legislatures, but I deny that there is a union of the nations, and I again proclaim the Act a nullity. England has given to her people a municipal reform extensive and satisfactory, while to Ireland she gives a municipal reform crippled and worthless. But the Union is more a nullity on ecclesiastical grounds; for why should the great majority of

the people of Ireland pay for the support of a religion which they do not believe to be true? The Union was carried by the most abominable corruption and bribery, by financial robbery on an extensive scale, which makes it the more heinous and oppressive; and the result is that Ireland is saddled with an unjust debt, her commerce is taken from her, her trade is destroyed, and a large number of her people thus reduced to misery and distress.

Yes, the people of Ireland are cruelly oppressed, and are we tamely to stand by and allow our dearest interests to be trampled upon? Are we not to ask for redress? Yes, we will ask for that which alone will give us redress—a Parliament of our own. And you will have it too, if you are quiet and orderly, and join with me in my present struggle. (*Loud cheers.*) Your cheers will be conveyed to England. Yes, the majority of this mighty multitude will be taken there. Old Wellington began by threatening us, and talked of civil war, but he says nothing about it now. He is getting inlet holes made in stone barracks. Now, only think of an old general doing such a thing! As if, were there anything going on, the people would attack stone walls! I have heard that a great deal of brandy and biscuits have been sent to the barracks, and I sincerely hope the poor soldiers will get some of them. Your honest brothers, the soldiers, who have been sent to Ireland, as are orderly and as brave men as any in Ireland. I am sure that not one of you has a single complaint to make against them. If any of you have, say so. (*Loud cries of* "No, no!"). They are the bravest men in the world, and therefore I do not disparage them at all when I state this fact, that if they are sent to make war against the people, I have enough women to beat them. There is no mockery or delusion in what I say. At the last fight for Ireland, when we were betrayed by a reliance on English honor, which we would never again confide in—for I would as soon confide in the honor of a certain black gentleman who has got two horns and hoofs—but, as I was saying, at the last battle for Ireland, when, after two days' hard fighting, the Irish were driven back by the fresh troops brought up by the English to the bridge of Limerick, at that point when the Irish soldiers retired fainting it was that the women of Limerick threw themselves in the way, and drove the enemy back fifteen, twenty, or thirty paces. Several of the poor women were killed in the struggle, and their shrieks of agony being heard by their countrymen, they again rallied and determined to die in their defense, and, doubly valiant in the defense of the women, they together routed the Saxons. Yes, I repeat, I have enough women to beat all the army of Ireland. It is idle for any minister or statesman to suppose for a moment that he can put down such a struggle as this for liberty. The

only thing I fear is the conduct of some ruffians who are called Ribbonmen. I know there are such blackguards, for I have traced them from Manchester. They are most dangerous characters, and it will be the duty of every Repealer, whether he knows or by any means can discover one of them, immediately to hand him over to justice and the law. The Ribbonmen only by their proceedings can injure the great and religious cause in which I am now engaged, and in which I have the people of Ireland at my back.

This is a holy festival in the Catholic Church—the day upon which the Mother of our Savior ascended to meet her Son, and reign with Him for ever. On such a day I will not tell a falsehood. I hope I am under her protection while addressing you, and I hope that Ireland will receive the benefit of her prayers. Our Church has prayed against Espartero and his priest-terrorizing, church-plundering marauders, and he has since fallen from power—nobody knows how, for he makes no effort to retain it. He seems to have been bewildered by the Divine curse, for without one rational effort the tyrant of Spain has faded before the prayers of Christianity. I hope that there is a blessing in this day, and, fully aware of its solemnity, I assure you that I am afraid of nothing but Ribbonism, which alone can disturb the present movement. I have proclaimed from this spot that the Act of Union is a nullity, but in seeking for Repeal I do not want you to disobey the law. I have only to refer to the words of the Tories' friend, Saurin, to prove that the Union is illegal. I advise you to obey the law until you have the word of your beloved Queen to tell you that you shall have a Parliament of your own. (*Cheers, and loud cries of* "So we will!") The Queen—God bless her!—will yet tell you that you shall have a legislature of your own—three cheers for the Queen! (*Immense cheering.*)

On the 2d of January last I called this the Repeal year, and I was laughed at for doing so. Are they laughing now? No; it is now my turn to laugh; and I will now say that in twelve months more we will have our Parliament again on College Green. The Queen has the undoubted prerogative at any time to order her Ministers to issue writs, which, being signed by the Lord Chancellor, the Irish Parliament would at once be convened without the necessity of applying to the English Legislature to repeal what they appear to consider a valid Act of Union. And if dirty Sugden would not sign the writ, an Irish Chancellor would soon be found who would do so. And if we have our Parliament again in Dublin, is there, I would ask, a coward amongst you who would not rather die than allow it to be taken away by an Act of Union? (*Loud cries of* "No one would ever submit to it!" "We'd rather die!" etc.) To the last man? (*Cries of* "To the last man!") Let every man who would

not allow the Act of Union to pass hold up his hand. (*An immense forest of hands was shown.*) When the Irish Parliament is again assembled, I will defy any power on earth to take it from us again. Are you all ready to obey me in the course of conduct which I have pointed out to you? (*Cries of* "Yes, yes!") When I dismiss you to-day, will you not disperse and go peaceably to your homes—("Yes, yes, we will!") —every man, woman, and child?—in the same tranquil manner as you have assembled? ("Yes, yes!") But if I want you again to-morrow, will you not come to Tara Hill? ("Yes, yes!") Remember, I will lead you into no peril. If danger should arise, it will be in consequence of some persons attacking us, for we are determined not to attack any person; and if danger does exist, you will not find me in the rear rank. When we get our Parliament, all our grievances will be put an end to; our trade will be restored, the landlord will be placed on a firm footing, and the tenants who are now so sadly oppressed will be placed in their proper position. "Law, Peace, and Order" is the motto of the Repeal banner, and I trust you will all rally round it. (*Cries of* "We are all Repealers!") I have to inform you that all the magistrates who have recently been deprived of the Commission of the Peace have been appointed by the Repeal Association to settle any disputes which may arise amongst the Repealers in their respective localities. On next Monday persons will be appointed to settle disputes without expense, and I call on every man who is the friend of Ireland to have his disputes settled by arbitrators without expense, and to avoid going to the Petty Sessions.

I believe I am now in a position to announce to you that in twelve months more we will not be without having an Hurrah! for the Parliament on College Green. (*Immense cheering.*) Your shouts are almost enough to call to life those who rest in the grave. I can almost fancy the spirits of the mighty dead hovering over you, and the ancient kings and chiefs of Ireland, from the clouds, listening to the shouts sent up from Tara for Irish liberty! Oh! Ireland is a lovely land, blessed with the bounteous gifts of Nature, and where is the coward who would not die for her? (*Cries of* "Not one!") Your cheers will penetrate to the extremity of civilization. Our movement is the admiration of the world, for no other country can show so much force with so much propriety of conduct. No other country can show a people assembled for the highest national purpose that can actuate man; can show hundreds of thousands able in strength to carry any battle that ever was fought, and yet separating with the tranquillity of schoolboys. You have stood by me long—stand by me a little longer, and Ireland will be again a nation.

§ 18

THE COOPER INSTITUTE ADDRESS

By Abraham Lincoln

(Delivered in New York City, February 27, 1860.)

Mr. President and Fellow-citizens of New York: The facts with which I shall deal this evening are mainly old and familiar; nor is there anything new in the general use I shall make of them. If there shall be any novelty, it will be in the mode of presenting the facts, and the inferences and observations following that presentation. In his speech last autumn at Columbus, Ohio, as reported in the *New York Times,* Senator Douglas said:—

> Our fathers, when they framed the government under which we live, understood this question just as well, and even better, than we do now.

I fully endorse this, and I adopt it as a text for this discourse. I so adopt it because it furnishes a precise and an agreed starting-point for a discussion between Republicans and that wing of the Democracy headed by Senator Douglas. It simply leaves the inquiry: What was the understanding those fathers had of the question mentioned?

What is the frame of government under which we live? The answer must be, "The Constitution of the United States." That Constitution consists of the original, framed in 1787, and under which the present government first went into operation, and twelve subsequently framed amendments, the first ten of which were framed in 1789.

Who were our fathers that framed the Constitution? I suppose the "thirty-nine" who signed the original instrument may be fairly called our fathers who framed that part of the present government. It is almost exactly true to say they framed it, and it is altogether true to say they fairly represented the opinion and sentiment of the whole nation at that time. Their names, being familiar to nearly all, and accessible to quite all, need not now be repeated.

I take these "thirty-nine," for the present, as being "our fathers who framed the government under which we live." What is the question

Abraham Lincoln. Born in Hardin County, Kentucky, February 12, 1800; died at Washington, D. C., April 15, 1865; in 1832 he took part in the Black Hawk War; in 1834 was a member of the Illinois Legislature; in 1837 was admitted to the bar; in 1846 was elected to Congress; President of the United States, 1860-1865.

which, according to the text, those fathers understood "just as well, and even better, than we do now"?

It is this: Does the proper division of local from Federal authority, or anything in the Constitution, forbid our Federal Government to control as to slavery in our Federal Territories?

Upon this, Senator Douglas holds the affirmative, and Republicans the negative. This affirmation and denial form an issue; and this issue—this question—is precisely what the text declares our fathers understood "better than we." Let us now inquire whether the "thirty-nine," or any of them, ever acted upon this question; and if they did, how they acted upon it—how they expressed that better understanding. In 1784, three years before the Constitution, the United States then owning the Northwestern Territory, and no other, the Congress of the Confederation had before them the question of prohibiting slavery in that Territory, and four of the "thirty-nine" who afterward framed the Constitution were in that Congress, and voted on that question. Of these, Roger Sherman, Thomas Mifflin, and Hugh Williamson voted for the prohibition, thus showing that, in their understanding, no line dividing local from Federal authority, nor anything else, properly forbade the Federal Government to control as to slavery in Federal territory. The other of the four, James McHenry, voted against the prohibition, showing that for some cause he thought it improper to vote for it.

In 1787, still before the Constitution, but while the convention was in session framing it, and while the Northwestern Territory still was the only Territory owned by the United States, the same question of prohibiting slavery in the Territory again came before the Congress of the Confederation; and two more of the "thirty-nine" who afterward signed the Constitution were in that Congress, and voted on the question. They were William Blount and William Few; and they both voted for the prohibition—thus showing that in their understanding no line dividing local from Federal authority, nor anything else, properly forbade the Federal Government to control as to slavery in Federal territory. This time the prohibition became a law, being part of what is now well known as the Ordinance of '87.

The question of Federal control of slavery in the Territories seems not to have been directly before the convention which framed the original Constitution; and hence it is not recorded that the "thirty-nine," or any of them, while engaged on that instrument, expressed any opinion on that precise question.

In 1789, by the first Congress which sat under the Constitution, an act was passed to enforce the Ordinance of '87, including the prohibition of slavery in the Northwestern Territory. The bill for this act

was reported by one of the "thirty-nine"—Thomas Fitzsimmons, then a member of the House of Representatives from Pennsylvania. It went through all its stages without a word of opposition, and finally passed both branches without ayes and nays, which is equivalent to a unanimous passage. In this Congress there were sixteen of the thirty-nine fathers who framed the original Constitution. They were John Langdon, Nicholas Gilman, Wm. S. Johnson, Roger Sherman, Robert Morris, Thomas Fitzsimmons, Abraham Baldwin, William Few, Rufus King, William Patterson, George Clymer, Richard Bassett, George Read, Pierce Butler, Daniel Carroll, and James Madison.

This shows that, in their understanding, no line dividing local from Federal authority, nor anything in the Constitution, properly forbade Congress to prohibit slavery in the Federal territory; else both their fidelity to correct principle, and their oath to support the Constitution, would have constrained them to oppose the prohibition.

Again, George Washington, another of the "thirty-nine," was then President of the United States, and as such approved and signed the bill, thus completing its validity as a law, and thus showing that, in his understanding, no line dividing local from Federal authority, nor anything in the Constitution, forbade the Federal Government to control as to slavery in Federal territory.

No great while after the adoption of the original Constitution, North Carolina ceded to the Federal Government the country now constituting the State of Tennessee; and a few years later Georgia ceded that which now constitutes the States of Mississippi and Alabama. In both deeds of cession it was made a condition by the ceding States that the Federal Government should not prohibit slavery in the ceded country. Besides this, slavery was then actually in the ceded country. Under these circumstances, Congress, on taking charge of these countries, did not absolutely prohibit slavery within them. But they did interfere with it—take control of it—even there, to a certain extent. In 1798 Congress organized the Territory of Mississippi. In the act of organization they prohibited the bringing of slaves into the Territory from any place without the United States, by fine, and giving freedom to slaves so brought. This act passed both branches of Congress without yeas and nays. In that Congress were three of the "thirty-nine" who framed the original Constitution. They were John Langdon, George Read, and Abraham Baldwin. They all probably voted for it. Certainly they would have placed their opposition to it upon record if, in their understanding, any line dividing local from Federal authority, or anything in the Constitution, properly forbade the Federal Government to control as to slavery in Federal Territory.

In 1803, the Federal Government purchased the Louisiana country. Our former territorial acquisitions came from certain of our own States; but this Louisiana country was acquired from a foreign nation. In 1804, Congress gave a territorial organization to that part of it which now constitutes the State of Louisiana. New Orleans, lying within that part, was an old and comparatively large city. There were other considerable towns and settlements, and slavery was extensively and thoroughly intermingled with the people. Congress did not, in the Territorial Act, prohibit slavery; but they did interfere with it—take control of it—in a more marked and extensive way than they did in the case of Mississippi. The substance of the provision therein made in relation to slaves was:

1st. That no slave should be imported into the Territory from foreign parts.

2d. That no slave should be carried into it who had been imported into the United States since the first day of May, 1798.

3d. That no slave should be carried into it, except by the owner, and for his own use as a settler; the penalty in all cases being a fine upon the violator of the law, and freedom to the slave.

This act also was passed without ayes or nays. In the Congress which passed it there were two of the "thirty-nine." They were Abraham Baldwin and Jonathan Dayton. As stated in the case of Mississippi, it is probable they both voted for it. They would not have allowed it to pass without recording their opposition to it if, in their understanding, it violated either the line properly dividing local from Federal authority, or any provision of the Constitution.

In 1819-20 came and passed the Missouri question. Many votes were taken, by yeas and nays, in both branches of Congress, upon the various phases of the general question. Two of the "thirty-nine"—Rufus King and Charles Pinckney—were members of that Congress. Mr. King steadily voted for slavery prohibition and against all compromises, while Mr. Pinckney as steadily voted against slavery prohibition and against all compromises. By this, Mr. King showed that, in his understanding, no line dividing local from Federal authority, nor anything in the Constitution, was violated by Congress prohibiting slavery in Federal territory; while Mr. Pinckney, by his votes, showed that, in his understanding, there was some sufficient reason for opposing such prohibition in that case.

The cases I have mentioned are the only acts of the "thirty-nine," or of any of them, upon the direct issue, which I have been able to discover.

To enumerate the persons who thus acted as being four in 1784, two

in 1787, seventeen in 1789, three in 1798, two in 1804, and two in 1819-20, there would be thirty of them. But this would be counting John Langdon, Roger Sherman, William Few, Rufus King, and George Read each twice, and Abraham Baldwin three times. The true number of those of the "thirty-nine" whom I have shown to have acted upon the question which, by the text, they understood better than we, is twenty-three, leaving sixteen not shown to have acted upon it in any way.

Here, then, we have twenty-three out of our thirty-nine fathers "who framed the government under which we live," who have, upon their official responsibility and their corporal oaths, acting upon the very question which the text affirms they "understood just as well, and even better, than we do now"; and twenty-one of them—a clear majority of the whole "thirty-nine"—so acting upon it as to make them guilty of gross political impropriety and wilful perjury if, in their understanding, any proper division between local and Federal authority, or anything in the Constitution they had made themselves, and sworn to support, forbade the Federal Government to control as to slavery in the Federal Territories. Thus the twenty-one acted; and, as actions speak louder than words, so actions under such responsibility speak still louder.

Two of the twenty-three voted against Congressional prohibition of slavery in the Federal Territories, in the instances in which they acted upon the question. But for what reasons they so voted is not known. They may have done so because they thought a proper division of local from Federal authority, or some provision or principle of the Constitution, stood in the way; or they may, without any such question, have voted against the prohibition on what appeared to them to be sufficient grounds of expediency. No one who has sworn to support the Constitution can conscientiously vote for what he understands to be an unconstitutional measure, however expedient he may think it; but one may and ought to vote against a measure which he deems constitutional if, at the same time, he deems it inexpedient. It, therefore, would be unsafe to set down even the two who voted against the prohibition as having done so because, in their understanding, any proper division of local from Federal authority, or anything in the Constitution, forbade the Federal Government to control as to slavery in Federal territory.

The remaining sixteen of the "thirty-nine," so far as I have discovered, have left no record of their understanding upon the direct question of Federal control of slavery in the Federal Territories. But there is much reason to believe that their understanding upon that question would not have appeared different from that of their twenty-three compeers, had it been manifested at all.

For the purpose of adhering rigidly to the text, I have purposely

omitted whatever understanding may have been manifested by any person, however distinguished, other than the thirty-nine fathers who framed the original Constitution; and, for the same reason, I have also omitted whatever understanding may have been manifested by any of the "thirty-nine" even on any other phase of the general question of slavery. If we should look into their acts and declarations on those other phases, as the foreign slave-trade, and the morality and policy of slavery generally, it would appear to us that on the direct question of Federal control of slavery in Federal Territories, the sixteen, if they had acted at all, would probably have acted just as the twenty-three did. Among that sixteen were several of the most noted anti-slavery men of those times—Dr. Franklin, Alexander Hamilton, and Gouverneur Morris—while there was not one now known to have been otherwise, unless it may be John Rutledge, of South Carolina.

The sum of the whole is that of our thirty-nine fathers who framed the original Constitution, twenty-one—a clear majority of the whole—certainly understood that no proper division of local from Federal authority, nor any part of the Constitution, forbade the Federal Government to control slavery in the Federal Territories; while all the rest had probably the same understanding. Such, unquestionably, was the understanding of our fathers who framed the original Constitution; and the text affirms that they understood the question "better than we."

But, so far, I have been considering the understanding of the question manifested by the framers of the original Constitution. In and by the original instrument, a mode was provided for amending it; and, as I have already stated, the present frame of "the government under which we live" consists of that original, and twelve amendatory articles framed and adopted since. Those who now insist that Federal control of slavery in Federal Territories violates the Constitution, point us to the provisions which they suppose it thus violates; and, as I understand, they all fix upon provisions in these amendatory articles, and not in the original instrument. The Supreme Court, in the Dred Scott case, plant themselves upon the fifth amendment, which provides that no person shall be deprived of "life, liberty, or property without due process of law"; while Senator Douglas and his peculiar adherents plant themselves upon the tenth amendment, providing that "the powers not delegated to the United States by the Constitution" "are reserved to the States respectively, or to the people."

Now it so happens that these amendments were framed by the first Congress which sat under the Constitution—the identical Congress which passed the act, already mentioned, enforcing the prohibition of slavery in the Northwestern Territory. Not only was it the same Congress, but

they were the identical, same individual men who, at the same session, and at the same time within the session, had under consideration, and in progress toward maturity, these constitutional amendments, and this act prohibiting slavery in all the territory the nation then owned. The constitutional amendments were introduced before, and passed after the act enforcing the Ordinance of '87; so that, during the whole pendency of the act to enforce the Ordinance, the constitutional amendments were also pending.

The seventy-six members of that Congress, including sixteen of the framers of the original Constitution, as before stated, were preëminently our fathers who framed that part of "the government under which we live," which is now claimed as forbidding the Federal Government to control slavery in the Federal Territories.

Is it not a little presumptuous in anyone at this day to affirm that the two things which that Congress deliberately framed, and carried to maturity at the same time, are absolutely inconsistent with each other? And does not such affirmation become impudently absurd when coupled with the other affirmation, from the same mouth, that those who did the two things alleged to be inconsistent, understood whether they really were inconsistent better than we—better than he who affirms that they are inconsistent?

It is surely safe to assume that the thirty-nine framers of the original Constitution, and the seventy-six members of the Congress which framed the amendments thereto, taken together, do certainly include those who may be fairly called "our fathers who framed the government under which we live." And so assuming, I defy any man to show that any one of them ever, in his whole life, declared that, in his understanding, any proper division of local from Federal authority, or any part of the Constitution, forbade the Federal Government to control as to slavery in the Federal Territories. I go a step further. I defy anyone to show that any living man in the world ever did, prior to the beginning of the present century (and I might almost say prior to the beginning of the last half of the present century), declare that, in his understanding, any proper division of local from Federal authority, or any part of the Constitution, forbade the Federal Government to control as to slavery in the Federal Territories. To those who now so declare I give not only "our fathers who framed the government under which we live," but with them all other living men within the century in which it was framed, among whom to search, and they shall not be able to find the evidence of a single man agreeing with them.

Now, and here, let me guard a little against being misunderstood. I do not mean to say we are bound to follow implicitly in whatever our

fathers did. To do so would be to discard all the lights of current experience—to reject all progress, all improvement. What I do say is that if we would supplant the opinions and policy of our fathers in any case, we should do so upon evidence so conclusive, and argument so clear, that even their great authority, fairly considered and weighed, cannot stand; and most surely not in a case whereof we ourselves declare they understood the question better than we.

If any man at this day sincerely believes that a proper division of local from Federal authority, or any part of the Constitution, forbids the Federal Government to control as to slavery in the Federal Territories, he is right to say so, and to enforce his position by all truthful evidence and fair argument which he can. But he has no right to mislead others, who have less access to history, and less leisure to study it, into the false belief that "our fathers who framed the government under which we live" were of the same opinion—thus substituting falsehood and deception for truthful evidence and fair argument. If any man at this day sincerely believes "our fathers who framed the government under which we live" used and applied principles, in other cases, which ought to have led them to understand that a proper division of local from Federal authority, or some part of the Constitution, forbids the Federal Government to control as to slavery in the Federal Territories, he is right to say so. But he should, at the same time, brave the responsibility of declaring that, in his opinion, he understands their principles better than they did themselves; and especially should he not shirk that responsibility by asserting that they "understood the question just as well, and even better, than we do now."

But enough! Let all who believe that "our fathers who framed the government under which we live understood this question just as well, and even better, than we do now," speak as they spoke, and act as they acted upon it. This is all Republicans ask—all Republicans desire—in relation to slavery. As those fathers marked it, so let it be again marked, as an evil not to be extended, but to be tolerated and protected only because of and so far as its actual presence amongst us makes that toleration and protection a necessity. Let all the guaranties those fathers gave it be not grudgingly, but fully and fairly maintained. For this Republicans contend, and with this, so far as I know or believe, they will be content.

And now, if they would listen—as I suppose they will not—I would address a few words to the Southern people.

I would say to them: You consider yourselves a reasonable and a just people; and I consider that in the general qualities of reason and justice you are not inferior to any other people. Still, when you speak

of us Republicans, you do so only to denounce us as reptiles, or, at the best, as no better than outlaws. You will grant a hearing to pirates or murderers, but nothing like it to "Black Republicans." In all your contentions with one another, each of you deems an unconditional condemation of "Black Republicanism," as the first thing to be attended to. Indeed, such condemnation of us seems to be an indispensable prerequisite —license, so to speak—among you to be admitted or permitted to speak at all. Now can you or not be prevailed upon to pause and to consider whether this is quite just to us, or even to yourselves? Bring forward your charges and specifications, and then be patient long enough to hear us deny or justify.

You say we are sectional. We deny it. That makes an issue; and the burden of proof is upon you. You produce your proof; and what is it? Why, that our party has no existence in your section—gets no votes in your section. The fact is substantially true; but does it prove the issue? If it does, then in case we should, without change of principle, begin to get votes in your section, we should thereby cease to be sectional. You cannot escape this conclusion; and yet, are you willing to abide by it? If you are, you will probably soon find that we have ceased to be sectional, for we shall get votes in your section this very year. You will then begin to discover, as the truth plainly is, that your proof does not touch the issue. The fact that we get no votes in your section is a fact of your making, and not of ours. And if there be fault in that fact, that fault is primarily yours, and remains so until you show that we repel you by some wrong principle or practice. If we do repel you by any wrong principle or practice, the fault is ours; but this brings you to where you ought to have started—to a discussion of the right or wrong of our principle. If our principle, put in practice, would wrong your section for the benefit of ours, or for any other object, then our principle, and we with it, are sectional, and are justly opposed and denounced as such. Meet us, then, on the question of whether our principle, put in practice, would wrong your section; and so meet us as if it were possible that something may be said on your side. Do you accept the challenge? No! Then you really believe that the principle which "our fathers who framed the government under which we live" thought so clearly right as to adopt it, and indorse it again and again, upon their official oaths, is in fact so clearly wrong as to demand your condemnation without a moment's consideration.

Some of you delight to flaunt in our faces the warning against sectional parties given by Washington in his Farewell Address. Less than eight years before Washington gave that warning, he had, as President of the United States, approved and signed an act of Congress enforc-

ing the prohibition of slavery in the Northwestern Territory, which act embodied the policy of the government upon that subject up to and at the very moment he penned that warning; and about one year after he penned it, he wrote Lafayette that he considered that prohibition a wise measure, expressing in the same connection his hope that we should at some time have a confederacy of free States.

Bearing this in mind, and seeing that sectionalism has since arisen upon this same subject, is that warning a weapon in your hands against us, or in our hands against you? Could Washington himself speak, would he cast the blame of that sectionalism upon us, who sustain his policy, or upon you, who repudiate it? We respect that warning of Washington, and we commend it to you, together with his example pointing to the right application of it.

But you say you are conservative—eminently conservative—while we are revolutionary, destructive, or something of the sort. What is conservatism? Is it not adherence to the old and tried, against the new and untried? We stick to, contend for, the identical old policy on the point in controversy which was adopted by "our fathers who framed the government under which we live"; while you with one accord reject, and scout, and spit upon that old policy, and insist upon substituting something new. True, you disagree among yourselves as to what that substitute shall be. You are divided on new propositions and plans, but you are unanimous in rejecting and denouncing the old policy of the fathers. Some of you are for reviving the foreign slave-trade; some for a Congressional slave code for the Territories; some for Congress forbidding the Territories to prohibit slavery within their limits; some for maintaining slavery in the Territories through the judiciary; some for the "gur-reat pur-rinciple" that "if one man would enslave another, no third man should object," fantastically called "popular sovereignty," but never a man among you is in favor of Federal prohibition of slavery in Federal Territories, according to the practice of "our fathers who framed the government under which we live." Not one of all your various plans can show a precedent or an advocate in the century within which our government originated. Consider, then, whether your claim of conservatism for yourselves, and your charge of destructiveness against us, are based on the most clear and stable foundations.

And again, you say we have made the slavery question more prominent than it formerly was. We deny it. We admit that it is more prominent, but we deny that we made it so. It was not we, but you, who discarded the old policy of the fathers. We resisted, and still resist, your innovation; and thence comes the greater prominence of the question. Would you have that question reduced to its former pro-

portions? Go back to that old policy. What has been will be again, under the same conditions. If you would have the peace of the old times, re-adopt the precepts and policy of the old times.

You charge that we stir up insurrections among your slaves. We deny it; and what is your proof? Harper's Ferry! John Brown!! John Brown was no Republican; and you have failed to implicate a single Republican in his Harper's Ferry enterprise. If any member of our party is guilty in that matter, you know it or you do not know it. If you do know it, you are inexcusable for not designating the man and proving the fact. If you do not know it, you are inexcusable for asserting it, and especially for persisting in the assertion after you have tried and failed to make the proof. You need not be told that persisting in a charge which one does not know to be true is simply malicious slander.

Some of you admit that no Republican designedly aided or encouraged the Harper's Ferry affair, but still insist that our doctrines and declarations necessarily lead to such results. We do not believe it. We know we hold no doctrine, and make no declaration which were not held to and made by "our fathers who framed the government under which we live." You never dealt fairly by us in relation to this affair. When it occurred, some important State elections were near at hand, and you were in evident glee with the belief that, by charging the blame upon us, you could get an advantage of us in those elections. The elections came, and your expectations were not quite fulfiled. Every Republican man knew that, as to himself at least, your charge was a slander, and be was not much inclined by it to cast his vote in your favor. Republican doctrines and declarations are accompanied with a continual protest against any interference whatever with your slaves, or with you about your slaves. Surely this does not encourage them to revolt. True, we do, in common with "our fathers who framed the government under which we live," declare our belief that slavery is wrong; but the slaves do not hear us declare even this. For anything we say or do, the slaves would scarcely know there is a Republican party. I believe they would not, in fact, generally know it but for your misrepresentations of us in their hearing. In your political contests among yourselves each faction charges the other with sympathy with Black Republicanism; and then, to give point to the charge, defines Black Republicanism to simply be insurrection, blood, and thunder among the slaves.

Slave insurrections are no more common now than they were before the Republican party was organized. What induced the Southampton insurrection, twenty-eight years ago, in which at least three times as

many lives were lost as at Harper's Ferry? You can scarcely stretch your very elastic fancy to the conclusion that Southampton was "got up by Black Republicanism." In the present state of things in the United States, I do not think a general, or even a very extensive, slave insurrection is possible. The indispensable concert of action cannot be attained. The slaves have no means of rapid communication; nor can incendiary freeman, black or white, supply it. The explosive materials are everywhere in parcels; but there neither are, nor can be supplied, the indispensable connecting trains.

Much is said by Southern people about the affection of slaves for their masters and mistresses; and a part of it, at least, is true. A plot for an uprising could scarcely be devised and communicated to twenty individuals before some one of them, to save the life of a favorite master or mistress, would divulge it. This is the rule; and the slave revolution in Hayti was not an exception to it, but a case occurring under peculiar circumstances. The Gunpowder Plot of British history, though not connected with slaves, was more in point. In that case, only about twenty were admitted to the secret; and yet one of them, in his anxiety to save a friend, betrayed the plot to that friend, and, by consequence, averted the calamity. Occasional poisonings from the kitchen, and open or stealthy assassinations in the field, and local revolts extending to a score or so, will continue to occur as the natural results of slavery; but no general insurrection of slaves, as I think, can happen in this country for a long time. Whoever much fears, or much hopes for, such an event will be alike disappointed.

In the language of Mr. Jefferson, uttered many years ago, "It is still in our power to direct the process of emancipation and deportation peaceably, and in such slow degrees as that the evil will wear off insensibly; and their places be, *pari passu,* filled up by free white laborers. If, on the contrary, it is left to force itself on, human nature must shudder at the prospect held up."

Mr. Jefferson did not mean to say, nor do I, that the power of emancipation is in the Federal Government. He spoke of Virginia; and, as to the power of emancipation, I speak of the slaveholding States only. The Federal Government, however, as we insist, has the power of restraining the extension of the institution—the power to insure that a slave insurrection shall never occur on any American soil which is now free from slavery.

John Brown's effort was peculiar. It was not a slave insurrection. It was an attempt by white men to get up a revolt among slaves, in which the slaves refused to participate. In fact, it was so absurd that the slaves, with all their ignorance, saw plainly enough it could not suc-

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to break up this government unless such a court decision as yours is shall be at once submitted to as a conclusive and final rule of political action? But you will not abide the election of a Republican president! In that supposed event, you say, you will destroy the Union; and then, you say, the great crime of having destroyed it will be upon us! That is cool. A highwayman holds a pistol to my ear, and mutters through his teeth, "Stand and deliver, or I shall kill you, and then you will be a murderer!"

To be sure, what the robber demanded of me—my money—was my own; and I had a clear right to keep it; but it was no more my own than my vote is my own; and the threat of death to me, to extort my money, and the threat of destruction to the Union, to extort my vote, can scarcely be distinguished in principle.

A few words now to Republicans. It is exceedingly desirable that all parts of this great Confederacy shall be at peace, and in harmony one with another. Let us Republicans do our part to have it so. Even though much provoked, let us do nothing through passion and ill temper. Even though the Southern people will not so much as listen to us, let us calmly consider their demands, and yield to them if, in our deliberate view of our duty, we possibly can. Judging by all they say and do, and by the subject and nature of their controversy with us, let us determine, if we can, what will satisfy them.

Will they be satisfied if the Territories be unconditionally surrendered to them? We know they will not. In all their present complaints against us, the Territories are scarcely mentioned. Invasions and insurrections are the rage now. Will it satisfy them if, in the future, we have nothing to do with invasions and insurrections? We know it will not. We so know, because we know we never had anything to do with invasions and insurrections; and yet this total abstaining does not exempt us from the charge and the denunciation.

The question recurs, What will satisfy them? Simply this: we must not only let them alone, but we must somehow convince them that we do let them alone. This, we know by experience, is no easy task. We have been so trying to convince them from the very beginning of our organization, but with no success. In all our platforms and speeches we have constantly protested our purpose to let them alone; but this has had no tendency to convince them. Alike unavailing to convince them is the fact that they have never detected a man of us in any attempt to disturb them.

These natural and apparently adequate means all failing, what will convince them? This, and this only: cease to call slavery wrong, and join them in calling it right. And this must be done thoroughly—done

in acts as well as in words. Silence will not be tolerated—we must place ourselves avowedly with them. Senator Douglas's new sedition law must be enacted and enforced, suppressing all declarations that slavery is wrong, whether made in politics, in presses, in pulpits, or in private. We must arrest and return their fugitive slaves with greedy pleasure. We must pull down our free State constitutions. The whole atmosphere must be disinfected from all taint of opposition to slavery, before they will cease to believe that all their troubles proceed from us.

I am quite aware they do not state their case precisely in this way. Most of them would probably say to us, "Let us alone; do nothing to us, and say what you please about slavery." But we do let them alone —have never disturbed them—so that, after all, it is what we say which dissatisfies them. They will continue to accuse us of doing, until we cease saying.

I am also aware they have not as yet in terms demanded the overthrow of our free-State constitutions. Yet those constitutions declare the wrong of slavery with more solemn emphasis than do all other sayings against it; and when all these other sayings shall have been silenced, the overthrow of these constitutions will be demanded, and nothing be left to resist the demand. It is nothing to the contrary that they do not demand the whole of this just now. Demanding what they do, and for the reason they do, they can voluntarily stop nowhere short of this consummation. Holding, as they do, that slavery is morally right and socially elevating, they cannot cease to demand a full national recognition of it as a legal right and a social blessing.

Nor can we justifiably withhold this on any ground save our conviction that slavery is wrong. If slavery is right, all words, acts, laws, and constitutions against it are themselves wrong, and should be silenced and swept away. If it is right, we cannot justly object to its nationality—its universality; if it is wrong, they cannot justly insist upon its extension—its enlargement. All they ask we could readily grant, if we thought slavery right; all we ask they could as readily grant, if they thought it wrong. Their thinking it right and our thinking it wrong is the precise fact upon which depends the whole controversy. Thinking it right, as they do, they are not to blame for desiring its full recognition as being right; but thinking it wrong, as we do, can we yield to them? Can we cast our votes with their view, and against our own? In view of our moral, social, and political responsibilities, can we do this?

Wrong as we think slavery is, we can yet afford to let it alone where it is, because that much is due to the necessity arising from its actual presence in the nation; but can we, while our votes will prevent it, allow

it to spread into the national Territories, and to overrun us here in these free States? If our sense of duty forbids this, then let us stand by our duty fearlessly and effectively. Let us be diverted by none of those sophistical contrivances wherewith we are so industriously plied and belabored—contrivances such as groping for some middle ground between the right and the wrong: vain as the search for a man who should be neither a living man nor a dead man; such as a policy of "don't care" on a question about which all true men do care; such as Union appeals beseeching true Union men to yield to Disunionists, reversing the divine rule, and calling, not the sinners, but the righteous to repentance; such as invocations to Washington, imploring men to unsay what Washington said and undo what Washington did.

Neither let us be slandered from our duty by false accusations against us, nor frightened from it by menaces of destruction to the government, nor of dungeons to ourselves. Let us have faith that right makes might, and in that faith let us to the end dare to do our duty as we understand it.

§ 19

HOME RULE

By John Morley

(Delivered at Oxford, February 29, 1888.)

Sir: This is not my maiden speech to the Oxford Union, therefore it is not upon that ground that I venture to claim your indulgence. I was warned before I came here—and what I have heard since does not alter the weight of that warning—that I must be prepared to face a decisively hostile majority.

But, in spite of that I confess I felt in coming here none of those misgivings which the great Master of Romance made Louis XI feel when he was infatuated enough to put himself in the hands of Charles the Bold of Burgundy. I feel perfectly confident that I shall receive from gentlemen present the courteous and kindly attention which Englishmen seldom refuse, even to their political opponents. It is quite true that at this moment party passion and political passion have reached a pitch

John Morley. Born at Blackburn, England, December 24, 1838; graduated at Lincoln College, Oxford, in 1859; entered Parliament in 1883; in 1886 entered Gladstone's Cabinet as Chief Secretary for Ireland; in 1892, on Gladstone's return to power, Morley resumed his former office; he was made Secretary of State for India in Campbell-Bannerman's Cabinet, in 1905; retained this post in Asquith's Cabinet in 1908; was created a Peer with a title of Viscount Morley of Blackburn in 1908.

of bitterness, and in some quarters I would almost say of ferocity, which has not been equaled in English history since the break-up of the Conservative party on the repeal of the Corn Laws forty-two years ago.

In spite of that I venture to commend the remarks which I shall intrude upon you to your favorable and indulgent consideration. I am accused very often of choosing to address what are called ignorant and credulous audiences. It cannot, at all events, be said that, in venturing to accept your very kind invitation to come here to-night, I have sought an audience which is ignorant, or an audience which is credulous. I suspect I shall find a skepticism in regard to my arguments the prevailing mood rather than credulity.

An old Parliamentarian was once asked whether he had ever known a speech change opinions, and he answered: "Oh, yes, I have constantly known a speech to change opinions, but I have never known a speech to change votes."

I do not aspire to-night to change votes; I content myself with the less arduous and more modest task of trying to change your opinions. I have listened with enormous interest and sincere pleasure to the debate which has proceeded since I entered the room. It has been animated and exhilarating, and if on one side I heard prejudices and sophisms to which I am accustomed, these prejudices and sophisms were expressed with very great ability and with evident sincerity.

The arguments on the other side—the side which I am here to press upon your attention—were admirably put, and I hope that they may have caused searching of hearts among some of those who are going to-night to vote against the resolution before the House.

I am following to-night a very distinguished statesman[1] whom you rightly welcomed last week. That noble lord has shown himself to be a man of great shrewdness, some insight, and of very considerable liberality of mind. I am glad that you agree with me in that account. I hope you will go further with me when I say that, considering that he is a man of shrewdness, of insight, and of liberality of mind, it is no wonder that he has left her Majesty's government.

But the noble lord, in his speech, as far as practical issues were concerned, dealt mainly in the prophetic. Now the prophetic is a line in respect to Irish affairs in which the noble lord does not at all excel. I remember very well in 1884, when the Franchise Bill was before the House of Commons, that the noble lord advocated and defended the enlargement of the franchise in Ireland, on the ground that the new voters whom that bill would admit to political power would, on the whole,

[1] Lord Randolph Churchill, who spoke a week previously opposing the establishment of a statutory Parliament in Dublin.

be a Conservative force, and would to some extent neutralize the Nationalist forces in the towns.

The election of 1885 showed what foresight there was in that particular prophecy of the noble lord; and I venture, with all respect, to warn you that the prophecies which he made to you last week, with respect to the probable course of events affecting self-government, will, within the next two or three years, be seen by you in this hall to have been as futile, as random, and as ill-founded as the prophecy which he made in 1885.

You must not forget that the noble lord himself was once a Home Ruler. ["No, no!"]

Some gentleman says "No," but I assure him he is mistaken. Lord Randolph Churchill said in the House of Commons that he had been himself in Mr. Butt's days inclined to look favorably upon Home Rule on Mr. Butt's lines. It cannot be denied that Lord Randolph Churchill has been himself in his day a Home Ruler, and in his day he may be a Home Ruler again.

I will not detain you long in dealing with Lord Randolph Churchill's positions, but there are one or two of them so remarkable that I cannot allow them, considering the noble lord's importance in the public eye, to pass without a word of remark.

The noble lord defined the Irish question, and I have no fault to find with that definition. He said that the Irish question arose from this fact, that we cannot obtain from Ireland, first of all, the same reverence for the law; secondly, the same material prosperity; and thirdly, the same contentment and tranquillity that we obtain in England and Scotland.

I think that is a perfectly fair statement of the question. But then, does it not occur even to those who are going to vote against this resolution to-night, that a statesman who admitted that we had obtained nothing better than a result so unsatisfactory, so discreditable, and so deplorable, would say: "Since the result has been such, we must change the system which has produced that result"?

I think that is a fair way of answering the question as the noble lord defines it. Did he so answer it? On the contrary, what he said was: "Since the result has been so discreditable, so deplorable, and so unsatisfactory, therefore I urge you of the Oxford Union to vote in favor practically of maintaining every jot and tittle of that system exactly as it now stands."

I do not know how the school of logic goes in Oxford since my day; but I think if theoretic logic had been dealt with on the same principle

as the noble lord deals with questions of practical logic, he would have come away from the schools with no *testamur*.

And now I come to a more important part of the noble lord's speech. What is the good of the policy which he pressed upon your attention? What is the bright and cheerful prospect that he holds out to you as the result of following that policy? It is so extraordinary and so remarkable from a man of the noble lord's shrewdness, that I really will beg your very close scrutiny of the position which he then took up, and of the very astonishing arguments to which he resorted.

The noble lord said that the Irish party is deeply divided into two sharply opposed sections—one of them is the section which is content with Parliamentary, Constitutional, and peaceful methods; and the other is the party of violence and force. That is perfectly true. There have always been in Irish history these two opposed forces.

It is a very old story; and one part of the story that I have always heard is that in the old days when the quarrel between the moral force party and the physical force party waxed very hot, it generally ended in the moral force party kicking the physical force party downstairs. The noble lord reversed this. He said, Depend upon it, as Home Rule receded in the distance, those who do not believe in the efficacy of Parliamentary methods would assert their superiority over those who do believe in Parliamentary methods.

I will ask the House to put that proposition into rather plainer English. What it means is, that when Home Rule is put upon the shelf, the Fenian movement—which the noble lord truly remarked could scarcely be said to exist at the present moment—would rise in undisputed triumph, and the Constitutional, peaceful, and Parliamentary movement would receive its quietus.

And that is the noble lord's argument in this House for opposing the resolution now before it! I cannot imagine that the golden prospect which the noble lord places before you is one that is really calculated to bring comfort or relief to British statesmen. I agree with him absolutely in his prediction. I have often said that if you do shelve Home Rule, if you once show the majority of the population of Ireland that they have nothing to hope for from the equity and common sense of Great Britain, then I firmly believe that you will have a revival of the old party of violence, of conspiracy, of sedition, and of treason.

But the prospect that he regards with satisfaction and complacency—the prospect of the revival of the violent party and the depression of the peaceful party—that prospect fills me, and I hope fills all well-considering men here, whether they be Unionists or Home Rulers, with repugnance and horror. We shall regard the revival of such a state of

things as most dishonoring to England, and as merciless to Ireland.

But I would ask gentlemen to press the noble lord's argument home, to test it and to probe it to the bottom from his own speech. You are to force Home Rule back, in order to restore those halcyon days of which the noble lord himself gave you an account—when, as he said, and I daresay correctly said, half the population of Ireland were either sworn Fenians or else in close sympathy with Fenianism.

That is extreme language. But what is still more extraordinary is the purpose and object with which you are to effect this most curious manœuver. What was the purpose and the object of shelving Home Rule with the prospect of a revival of Fenianism? Pursue the noble lord's train of thought. You are to raise Fenianism from the dead, you are to stamp out the Constitutional men, and to give new life to the men of violence and conspiracy; you are to fan into a glow all the sullen elements of insurgency in Ireland, in order, forsooth, that the Empire should be the better able to face all these troubles that are coming upon Europe, as the noble lord thinks, and may truly think—to face all these troubles with concentrated strength and undivided resources!

Surely of all extraordinary short cuts to concentrated strength and undivided resources, none can be more extraordinary than to take care to keep a disaffected province at your very gates. The moral charm of such a policy as that is only equaled by its practical common sense.

Why, the other day, in the wilds of Donegal, there was occasion—or the government thought there was occasion—to arrest a certain priest, and to carry this priest in the midst of his flock to the court-house, where he was about to be tried, it required a force of horse, foot, and artillery of something like 500 or 600 of her Majesty's troops. Now it does not need a very elaborate arithmetical calculation to satisfy ourselves if it takes 600 troops to safely look after one insignificant parish priest in the wilds of Donegal for trial, how many troops will it take to hold Ireland when half the population are sworn Fenians, or else in close sympathy with Fenianism.

So much for the noble lord's argument, because that was the real argument of his speech.

No, sir, gentlemen here may depend upon it that, if the time ever comes, as it has come before, when this great and mighty realm shall be called once more by destiny or her duty to face a world in arms in some high cause and policy of state, she will only have her strength concentrated and her resources undivided on the condition that her statesmen and her people have plucked up the root of strife in Ireland and turned the domestic enemy on our flank into our friend and our ally.

But I think we may all agree to recognize the hollowness of the cause,

when so able a man as the noble lord, appealing to you in the name of the Empire and the strength of the Empire, argues for the perpetuation of a state of things which morally, and politically, and materially weakens, disables, and cripples the forces of the Empire. So much for the goal of the policy which the noble lord pressed upon you. It is the same goal which ministers—the same lord is no longer a minister—it is the same goal which ministers are constantly alleging in the House of Commons that they place before themselves, and most paradoxical and extraordinary things they say in defense of the proposition that they are reaching the goal.

What is the goal? The goal is to give to Ireland the same reverence for the laws, the same material prosperity, the same contentment and tranquillity, that we have in England and Scotland. Yes; but there are some very astonishing congratulations to be heard in the ministerial camp as to the speed with which and as to the manner in which they are nearing that goal.

For instance, the Attorney-General said the other day that they must be considered to be surmounting the difficulties that concerned English government in Ireland. Well, but why? The Attorney-General said that the government were surmounting difficulties in Ireland, because meetings and movements which had once been open were now secret.

I am sure that many of you, though you have other things to do than to follow very closely the history of Ireland, and of the good and bad movements in Ireland, must be well aware that the great bane of Ireland and of Scotland when they cross the seas—whether they go to the United States or the English colonies—has been secret association.

The great triumph, I will say, of the League and of the National Movement since the year 1880, has been that those associations which formerly were secret, and therefore dangerous, are now open, and will be open as long as this most reckless government will allow them to be. Ask yourselves—I appeal to your candor—ask yourselves whether, if treason is taught, and if murder is hatched, is treason likely to be taught, is murder likely to be hatched, in open meetings?

No, it is impossible. But what is possible? I am afraid that what is certain is, that if you repress public combination—if you go through that odious and ridiculous process which is called driving discontent beneath the surface—if you do that, you are taking the surest steps that can be taken to have treason taught and murder hatched.

Now, I ask gentlemen here before they vote to-night—or, at all events, to turn it over in their minds after they have voted, whether the goal is being reached by the present policy, a policy which the rejection of this resolution encourages and endorses.

I am not talking away from the resolution, because I am trying to call the attention of gentlemen to the alternative of the policy set out in the resolution of the honorable mover. I hope, therefore, you will agree that I am keeping close to the point. The point is the alternative of the policy of Home Rule. We have had, since the session began, a series of debates in the House of Commons upon the administration of the Coercion Act.

Of course I am not an impartial witness, but I think that the subtle something which is called the impression of a great assembly, the impression of the House of Commons, is that the government have not shown that they have attained any of the ends which they proposed to themselves when they passed this piece of legislation. All the tests that can be applied to the success of the operation of that Act appear to me to show that it has achieved none of the ends that were proposed.

Have they put down the League? It is perfectly certain that the League is as strong as ever. I know that an attempt is made to make out the contrary case, but from any test that you can apply to the strength of the League, whether it be to the number of branches, to the copiousness of subscriptions, or to the numbers at the meetings—according to any of these tests, so far as I can make out, the League is not in the least degree weakened.

Have they put down the Plan of Campaign? It is very clear that the Plan of Campaign has not been put down. It is true, to come to a third point, that there is a great decline in boycotting. That is quite true, but the point that you have got to make good is that the decline in boycotting is due to the government policy. There are more explanations than one for the decline of boycotting.

If you want my explanation, since you have been so very kind as to ask me to come here, and are so good as to listen to me so attentively, my explanation is that the decline of boycotting is due, first of all, to the fact that a great many of the boycotted persons have wisely, or unwisely, yielded to and joined the League; and, secondly, what is a far more important consideration, boycotting has declined because a great many landlords have under pressure, or from other motives, made those reductions which equity required and which the peace of the country demanded.

Now, I think it is very important that you should try and realize for yourselves what the policy of coercion is in actual practice. I am not going to detain this House very long by reading extracts. One of the most respected lawyers in the North of England and a very old friend of mine, who is a very experienced man, was in the court at Galway on

the thirteenth of this month during a trial of twelve men for rioting. Now, this is what he says:

"There was a great crowd to welcome Mr. Blunt on the evening of January 7. When Mr. Blunt was brought to the jail at Galway the people were orderly on the whole, but they cheered for Mr. Blunt, and they pushed through the police at the station in their anxiety to see Mr. Blunt."

Was there any harm in that? My friend goes on to say that orders were given to clear the station. I will ask you to mark that I am not criticizing what happened. I want to get you into court. My friend goes on to say:

"The station was cleared in half a minute, the police batoning the people and knocking them down. What attempt was made on February 13 to bring any offence home to the twelve accused persons? All that could be urged against them was that they had waited for and had cheered Mr. Blunt."

And I think they had as much right to do so as if they had been in Oxford Station. To continue:

"The charge was not dismissed, it was adjourned and resumed on February 14, the next day. The Crown then called four fresh policemen, of whose evidence no notice had been given to the accused, and these four fresh policemen told a new tale. The crowd, which, according to the evidence of the day before, was described as orderly, was now described as disorderly. It was now represented that the police had been interfered with and were in actual peril. There was stone-throwing, but it was outside the station, and no attempt was made to connect the accused with anything that took place outside the station, or anything worse than shouting or cheering. The result was that eleven or twelve of the accused men were sentenced to a fortnight's or a month's imprisonment with hard labor; and, one of them calling out that he would do the same again, the magistrate, with what I must call a truly contemptible vindictiveness, said, 'You shall have another week's imprisonment for saying that.' The upshot of the whole case was that these men—two of them, mind you, Town Commissioners, respected public men in the confidence of their fellow citizens—were punished, not for concerting a riotous meeting, not for throwing stones, not for attacking the police, not for doing anything to alarm reasonable and courageous persons, but simply for waving their hats and caps in honor of Mr. Blunt."

Now, I say that is, unfortunately, a typical case. [Cries of "No!"] Yes, it is a typical case. If gentlemen who doubt that will take the trouble, as I have done, to read the reports from day to day of what goes on in these courts, if they will take the trouble to hear evidence that Englishmen, not partizan Irishmen, have seen administered in

these courts, they will agree that this is a typical case, that men are treated violently, that they are then summoned for an offense which is not properly proved—[A cry of "No!"]—what I say I hope to show in a moment—and for acts which are not in themselves an offense or a crime.

Somebody protested when I used the word "prove." I will ask him, and I will ask the House, to listen to a little extract which I am going to read to show the kind of evidence which in these courts is thought good enough. It is the case of a certain Irish member, Mr. Sheehy, who was convicted, and this is a very short passage from the cross-examination of the shorthand-writer. Mr. Sheehy was brought up for words spoken; it was vitally important to know what were the words spoken, for which he was about to have inflicted upon him a very severe punishment. This is, in a very few words, a passage from the cross-examination of the government reporter:

"Did you ever study shorthand?"

"I did not. I might look over the book, but that is all. As far as I know, shorthand is not studied by any man in the barracks. There was no constable, to my knowledge, in Trench Park on the day of the meeting, who knew shorthand. The meeting lasted from three o'clock till a quarter to five, and Mr. Sheehy was speaking the greater part of the time. When Mr. Sheehy spoke a sentence or a sentence and a half, I took down all I could remember at the time. I took no note of what he would be saying while I was taking down the two sentences which I remembered at the time. I consider Mr. Sheehy a slow speaker."

"While you would be writing a sentence, how many sentences would he get ahead of you?"

"Well," said the constable or reporter, "he might get two or three."

"Then when you would complete your sentence, would you skim over what he had said in the meantime and then catch him up again?"

"Yes, I would try and remember what he would say in the meantime."

"When you say that you would try and remember, what do you mean?"

"I mean that when I heard a sentence or two I would take that down, and pay no attention to what he would say in the meantime."

How many gentlemen here must have been in English courts and heard the careful, austere, and impressive standards which the judges of those courts apply to evidence? I say, when you hear such evidence as that, do you not think you are listening to the proceedings of a court in a comic opera? Pray remark that in a charge of this kind a phrase or a qualification of a phrase may be of vital importance. It may make all the difference in the construction and the interpretation that the

court would put upon a word spoken; and yet you see that the qualifying phrases and words might have been dropped out while the reporter was taking down the other sentences. It is a sheer caricature of evidence.

I must inflict one more story upon you—it is the last—because you must know it is no use using vague general words about Coercion. Realize what Coercion means. I ought to say that those words I have just read and that case was mentioned in the House of Commons. Those words were read out in the House of Commons. No answer was attempted to them by the government. I am not going to use any case which has not been challenged in the House of Commons.

Well, here is a case, of a certain Patrick Corcoran. Patrick Corcoran is the foreman printer of the Cork *Examiner*. He is therefore purely a mechanic. He was tried, his name being on the imprint of the newspaper, for publishing proceedings of the suppressed branches of the National League. On the hearing of the first summons the joint editor and manager came forward and said he alone was responsible for everything that appeared in the paper, and that Corcoran was a mere mechanic and had no power or control in any sense or degree over the matter published. Well, of course, as he had no control over the matter published, he could not have what the lawyers call that guilty mind which was necessary, according to the Act, for the commission of the offense; because the Act requires that this publication should be uttered with a view of promoting the objects of the incriminated association. Well, Corcoran, this mechanic, was sent to prison for a month. [Cries of "Shame!"]

Yes, and mark the point. Most of you know that if a sentence is for more than a month, then there is a right of appeal. Corcoran's counsel implored the Bench to add a week to the sentence so that there might be this right of appeal, or else to state a case for a superior court, which would have been the same thing. The magistrate refused even that. That is rather sharp; but that was not all. They took up another charge, in substance the same, for publishing reports of meetings number two, and on the footing of the second summons they gave Corcoran another month's imprisonment. I hope gentlemen see the point—that by this method of accumulated penalties they managed to give him a two months' sentence, and yet to deprive him of the right to appeal which he would have had from a single two months' sentence.

These are illustrations which I commend to the attention of gentlemen who oppose this resolution, because they are inevitable features in the system which is the alternative to the system advocated in the resolution. [Cries of "No, no!"]

Well, I will have one word to say about that in one moment. But I ask you, in the meantime: Can you wonder that under such circumstances as those of which I have given you three actual illustrations—that Irishmen do not respect the law and do not revere the tribunals where that law is administered?

Imagine how the existence of such a state of things would affect you who are Englishmen. Would you endure to be under exceptional repressive legislation of this kind so administered? I do not believe you would. Englishmen never have acquiesced in legislation and administration of that kind; they have fought against it from age to age, and Irishmen will rightly fight against it from age to age.

I listened with especial interest, and, if I may say so, with admiration to the speech of the gentleman who preceded me, in whom I am glad to recognize the germs of hereditary gifts; and, if it is not impertinent in me to say so, I hope he will continue to cultivate those remarkable gifts; and—forgive me for saying so—I hope he may one day use them in a better cause. The honorable gentleman struck the keynote. I accept that note. He said, "Think of the sons and daughters of Ireland."

Think of the sons and daughters of Ireland; it is for their sake as much as for our own, not more, but as much—it is for the sake of the sons and daughters of Ireland that I am and have been an advocate of giving Ireland responsibility and self-government. Can you wonder? Put yourselves in the place of the sons and daughters of Ireland. These transactions, of which I have given you a very inadequate specimen, fill their minds. They hear scarcely anything else in the speeches of their leaders and in the talk of those in whom they have confidence. They talk of these things when they meet at fairs, when they meet at chapel, when they meet at athletic sports. And they read scarcely anything else in the newspapers. And if they cannot read, then their children read these proceedings out to them.

Now think of a generation growing up in this demoralizing and poisoned atmosphere of defiance and suspicion and resentment, and think whether you are doing your duty; think how you are preparing for the growth of a generation in Ireland in whom the spirit of citizenship shall be wholesome and shall be strong. It is of no avail to tell me that a lawyer in his study has this or that objection to this or that section. What I see in Ireland is a population in whom you are doing your best to breed want of reverence for the law, distrust of the tribunals, and resentment against the British rule which fastens that yoke upon their necks.

When I said that the government were pursuing a policy of pure repression, somebody objected. I should like him to be kind enough to

tell me what other dish there is on the ministerial table for Ireland, except repression. Let us go to the law and the testimony. We used to be told—I see old and respected friends of mine around me who are Liberal Unionists, and their party used to say that they would not assent to Home Rule, but that they would assent to an extension of local government in Ireland. [A cheer.]

I am glad to hear that cheer, but it is a very forlorn cry. I will ask you for a single instant to listen to the history of the promise of the extension of local government in Ireland. In 1842, forty-six long years ago, a Commission reported in favor of amending the system of county government in Ireland. A bill was brought in to carry out that recommendation in 1849. It was rejected. It was brought in in 1853, and it was rejected; again in 1856 it was rejected; again another in 1857, which also was rejected.

Then there was a pause in the process of rejection until 1868, when a Parliament and the government of the day resorted to the soothing and comforting plan of appointing a Select Committee. That, just like the previous Commission, issued a copious and an admirable report, but nothing more was done. In 1875 a bill was brought in for county reform in Ireland, and in 1879 another bill was brought in which did not touch the evils that called for remedy.

In 1881, in the time of the Gladstone administration, and at a time when Ireland, remember, was in a thousand times worse condition than the most sinister narrator can say she is now, the Queen in her Speech was made to say that a bill for the extension of local government of Ireland would be brought in; nothing was done.

In 1886 the distinguished man whom you had here last week himself said—I heard him say it one afternoon—he made this promise in the name of the government of which he was a leading and an important member—that it was the firm intention of the government to bring in a measure with a view of placing all control of local government in Ireland in the hands of the Irish people.

Some of you cry, "Hear, hear," but that is all gone. Listen to what Lord Hartington, the master of the government, has since said. The noble lord has said that no scheme for the extension of local government in Ireland can be entertained until there has been a definite repudiation of nationality by the Irish people. I do not want to press that too far, but at all events you will agree with me that it postpones the extension of local government in Ireland to a tolerably remote day.

Do not let Liberal Unionists deceive themselves by the belief that there is going to be a moderate extension of local government for Ireland. Do not let them retain any such illusion. Proposals for local

government will follow these Royal Commissions, Committees, Bills, Motions, into limbo, and we shall hear no more of extension of local government. This is only one illustration among many others, which, taken together, amount to a demonstration of the unfitness and incompetence of our Imperial Parliament for dealing with the political needs, the admitted and avowed political needs, of Ireland.

One speaker said something about fisheries. There was a Select Committee appointed in 1884, and there was another Royal Commission reporting a few weeks ago, but I am not sanguine enough to think that more will be done in consequence of the recommendations of that Commission than has been done in consequence of the recommendation of others.

Again, there are the Irish railways. I was wrong, by the way, that a Royal Commission was on fisheries—it was on Irish industries generally, fisheries included. On the question of railways there was a Royal Commission in 1867, and a small Committee was appointed in 1868. There were copious and admirable reports. There is another copious and admirable report laid on the table of the House of Commons this week. Nothing has been done, and I do not believe anything will be done. That is another field in which Ireland abounds in requirements and necessities, and which the British Parliament has not the power, knowledge, or inclination to deal with or to touch.

One gentleman who spoke to-night with great ability—and if people think these things I do not know why they should not be said—reproduced to my regret the old talk about the Hottentots. I confess this is the most painful part of the present controversy—that there should be men (I am sure he is one of them) of generous minds, of public spirit and patriotism, who talk, and sincerely talk, of union, and the incorporation of Ireland with Britain, and yet think that this kind of language, and what is far more, this kind of feeling, is a way likely to produce incorporation and union.

I have seen a good deal of Irishmen. I saw a great, a tremendous crowd of Irishmen the other day on their own soil. They comported themselves, many tens and scores of thousands of them, comported themselves with a good humor, a perfect order, a temper generally of which any capital in Europe—London, Paris, Berlin, or Vienna—might have been proud. I think you can do something better with such a people than alienate them by calling them and by thinking of them as Hottentots, or as in any way inferior to ourselves. That is not the way to have union and incorporation. That is not the way to make the Empire stronger.

And I apply the same to the language that is used about the Irish

members. I am not prepared to defend all that the Irish members have said and done. No, and I am not prepared to defend all that English members have done. But I ask here, as I asked in Dublin, is there to be no amnesty? Is there never to be an act of oblivion? These men, after all, have forced upon the British legislature, and have extorted from the British legislature, laws for the benefit of their own down-trodden and oppressed people. Those laws were either right or wrong. If they were wrong, the British legislature ought not to have passed them. If they were right, you ought to be very much obliged to the Irish members for awakening your sense of equity and of right.

I return again—I am going to conclude in a moment—I return again to the point. You have the future in your hands, because what has been said is true; the future depends upon the opinions of the men between twenty and thirty, which, I take it, is the average of the audience I have the honor of addressing. What is the condition of Ireland?

Here, too, I will repeat what I said in Dublin. In Ireland you have a beggared gentry; a bewildered peasantry; a random and harsh and aimless system of government; a population fevered by political power and not sobered by political responsibility. This is what you have to deal with; and I say here, with a full sense of important responsibility, that rather than go on in face of that distracted picture, with the present hard, incoherent, cruel system of government in Ireland, rather than do that I would assent to the proposal that has been made, if that were the only alternative, by a great representative of the Unionist party, by Lord Grey.

And what does Lord Grey suggest? Lord Grey suggests that the Lord-Lieutenant should be appointed for ten years, and during those ten years—it is a strong order—during those ten years he is to make what laws he thinks fit without responsibility either to ministers or to Parliament. It is a strong order, but I declare—and I believe that Mr. Parnell has said that he agrees—that I would rather see Ireland made a Crown colony to-morrow than go on in the present hypocritical and inefficient system of sham representation. You may then have the severity of paternal repression, but you will have the beneficence of paternal solicitude and supervision. What you now have is repression and neglect; and repression and neglect you will have until you call the Irish leaders into council and give to the majority of the Irish people that power in reality which now they have only in name.

One minute more and I will sit down.

The resolution raises very fairly the great issue that now divides and engages all serious minds in this country—the issue which has broken up a great political party, which has tried and tested more than one

splendid reputation, and in which the Liberal party have embarked all their hopes and fortunes as resolutely and as ungrudgingly as their forefathers did in the case of Catholic Emancipation. The opponents of this Resolution ought to have told us, what no opponent to-night did tell us—for I listened very carefully—they ought to have told us what it is they mean. Merely to vote a blank and naked negative to this resolution? It is not enough, it cannot be all, merely to say "No" to this resolution. You are not going through the familiar process of rejecting an academic motion or an abstract proposition.

In refusing this proposition you are adopting an amendment. I have taken the liberty to draft a Unionist amendment. I will gladly place it in the hands of any Unionist member who may think it expedient to move it. This is the alternative amendment to the resolution of the honorable mover.

"That, inasmuch as Coercion, after being tried in every form and under all varieties, has failed to bring to Ireland that order and content we all earnestly desire, Coercion shall be made the permanent law of the land; That as perfect equality between England and Ireland is the key to a sound policy, Coercion shall be the law in Ireland and shall not be the law in England; That as decentralization and local government have been long recognized and constantly promised as a necessary reform in Irish affairs, the time has at length arrived for definitely abandoning all reform in Irish local government; That since the backward condition, and the many admitted needs of Ireland urgently call for the earnest and unremitting attention of her rulers, the exclusive attention of this Parliament shall be devoted to the consideration of English, Scotch, and Welsh affairs; That, in view of the fact that representative institutions are the glory and strength of the United Kingdom, the Constitutional demands of the great majority of the Irish representatives shall be disregarded, and these representatives shall have no voice in Irish affairs and no share in Irish government; and, finally, That as Mr. Pitt declared the great object of the Union to be to make the Empire more secure by making Ireland more free and more happy, it is the duty of every true Unionist to make Ireland more miserable in order to prevent her from being free."

That, sir, is the amendment which you are, I fear, presently going to vote. [Cries of "No!"] Yes, you are. That is what you are going to vote, and I have failed in the speech which you have most kindly and indulgently listened to, if you do not see that that amendment, with its stream of paradoxes and incoherencies, represents the Unionist policy. That is a policy which judgment condemns and which conscience forbids.

§ 20

OPENING OF THE 1916 REPUBLICAN CAMPAIGN

By Albert J. Beveridge

(Delivered at the Auditorium in Chicago, on the night of October 5, 1916.)

We are concerned not so much with the past as with the present and the future; we are interested, not so much in criticism as in construction. The task at hand and the word before us are big enough to engage our best thought and all our thought.

We must build for to-morrow and our plan must be as wide as the horizon now opening before us. A new world is being born. Just as the Napoleonic wars destroyed an outworn political dispensation, so the present conflict is ending an old economic system. In this new day, and amidst these changed conditions, there must be a new America. Let us be thankful and glad that we are privileged to lay its foundations.

This work means, first of all, a broader, deeper, stronger nationalism. The philosophy of localism is dead. The practice of it must no longer interfere with the unity of the Republic. National law and national authority must deal with all things that help or hurt the entire people.

Our railways in their management and service, are national. They are the highways of the Republic as a whole. The well-being of the entire American people depends upon the service they render, and the solvency of the railroads depends upon the common prosperity of the Nation. Yet American railways, unlike those of every other country, are under control of forty-eight local sovereignties, as well as that of the general government. Hundreds of conflicting state regulations and an army of state officials complicate their operation.

The plain remedy is to place the railways of the Nation under the exclusive control of the national government.

That is the national government should have the exclusive supervision and regulation of the railroads, and not the sovereign states.

They are vital to national defense. It is useless to train men unless they can be transported quickly and in immense numbers. In the confusion caused by our multiple and discordant control of the railways, we could not promptly transport so small an army as half a million men.

Albert Jeremiah Beveridge. Born in Highland County, Ohio, October 6, 1862; graduated from De Pauw University, 1885; United States Senator from Indiana, 1899-1911.

Under national control American railways could be coördinated and systematized. This is only a logical step in the practical development of that nationalism required by the needs of the people.

Another constructive advance is the nationalization of business. Great industrial units are indispensable to modern trade. Yet our laws are so hostile to business organization that American business men can never be sure that they are not legal criminals. We are the only nation in the world that treats its business in such fashion. In economic legislation America is to-day the most backward of modern nations.

Not only does our treatment of the business problem shackle American business, but it has not prevented and cannot prevent a single business abuse which injures the people. For instance, it does not prevent overcapitalization; financial adventurers can to-day form a corporation under state laws and float it on an ocean of watered stock. It does not interfere with manipulation of prices; they are juggled with impunity.

Long ago we ought to have replaced our laws meant to break up business with laws meant to build up business. Now we must do it without a moment's delay. The war has made constructive coöperation the watchword of the new industrial era into which the world is entering. Destructive individual competition has been buried in the ruins of an economic structure which it could not support.

We must make our laws fit conditions of the day instead of trying to make the conditions of to-day fit laws of yesterday. Our great business concerns must be nationalized and standardized by law. National incorporation and control will solve that problem. National charters will safeguard the people on the one hand, and make industrial organization normal and steady on the other hand. A national commission made up of the ablest and most experienced of American business men will counsel and guide American enterprise. The members of it should be so eminent that this Business Commission would rival in its province the Supreme Court in its province.

These constructive reforms are stages in the making of that greater America which will arise in the time now opening—a period that will be known to history as the age of the builders.

The Progressive and Republican platforms of 1916 agree upon all these plans so vital to our national welfare. These platforms declare the will of the two great bodies of citizens which together constitute the army of constructive liberalism in America. In this campaign that army is fighting as a unit to free the American people from the rusty chains of an age that is past and give them their rightful place among the nations. The party in power failed to do this work because it still is ruled by the spirit of localism, still obeys the voice of the demagogue, still

heeds the counsels of the charlatan. The Clayton law adds to the confusion with which the Sherman law already had maddened business; and the Trade Commission admits that it cannot tell the meaning of either. It is so feeble that it menaces by the distrust which its inefficiency creates the establishment hereafter of a real commission to do the real work for which American business has so long been pleading.

The administration boasts of "constructive laws." Where did they come from? Who originated the Currency Law? A Republican. Who was the author of the National Child Labor Law? A Progressive and Republican. Who proposed and framed the Tariff Commission Law? The same man who originated National Child Labor legislation. Who advanced the idea of a National Trade Commission? An eminent American business man—a Progressive and Republican.

And during all the long years of fighting for these reforms Mr. Wilson and his party frowned upon and opposed them. Only when the fight was finished and public opinion so firmly behind these progressive measures that the forces of reaction and localism dared oppose them no longer, did Mr. Wilson change his mind and force a reluctant and grumbling party to half-heartedly support them. And this was done at the twelfth hour under the compulsion of terror of the impending election. How will laws, so originated and so enacted, be executed by a power thus belated and unfriendly?

America must heed the world changes now taking place—fundamental changes, permanent changes. Even before the war the industries of France and Germany were so highly organized that, in comparison, American business was chaotic. But in the smithy of the European conflict is being forged an industrial coöperation infinitely more effective than the old. And after the war this improved industrial coöperation will be wielded by a mutual spirit born of that titanic combat. That man is blind who does not see what must and will happen when the tremendous intellectual, moral, and physical energies now waging that struggle and being disciplined by it, are suddenly turned from trench to factory, from smoking gun to shop and mill, from all heavy tasks of war to the lighter work of peace.

The agencies of production and distribution will work with a unity and smoothness that will soon make up for the human loss that battlefields have wrought and, at no distant day, leave far behind those nations that cling to ancient industrial methods.

In Great Britain this economic revolution already has occurred. Before the war that country was far behind in her industrial development. She was living upon her mighty past, smugly content with the ideas of great men that in a former age and amidst conditions that have van-

ished, had made her the emporium of the world. But already Great Britain has achieved industrial coördination. Peace will find her with a new economic system, working efficiently to accomplish her traditional purpose. Moreover, in comparison with Germany and France, Great Britain's human resources have hardly been touched. But her people, women as well as men, have been disciplined to strive together for a common end.

These are the forces that we must meet not only in foreign trade, but in our own markets. France and Great Britain have borrowed immense sums from us. They can pay that debt with American securities still held by them. But they will not do this if they can help it. They will pay what they owe us and also try to replace the losses of the war by filling our markets with their products and by crowding us out of foreign markets. The other warring nations will do the same thing.

Thus it is that with our lack of business organization which, even with the aid of up-to-date laws, it will take us years to overcome, the protection of American industry becomes an emergency. In the period so close upon us protection becomes more than a policy of national prosperity; it becomes also a policy of national safety.

A new tariff must be made without delay, high enough to meet the revolutionized industrial conditions of Europe, elastic enough to meet the swift and well planned trade movements of rival nations. Even free traders cannot fail to see the necessity for this, at least until we can ourselves work out the organization of American industries and business on modern lines. If we never before had had a protective tariff we should be forced to create one now.

But we must see to it that the law is drawn by informed and honest men. It must not cover fraud and theft in the name of protection. While economic conditions produced by war demand a higher tariff than would have been wise or just in former times, this new tariff must be as clean as it is scientific. There is no place in Congress for the lobbyist, the log-roller, and the bargainer in schedules—no place for mere partizans without knowledge or skill.

The administration points to our prosperity. Where is it? In Massachusetts? Yes. In California? No. In Connecticut? Yes. In Oregon? No. In Pennsylvania? Yes. In Washington? No. In the Mississippi Valley? Yes. In the western mountain states? No. Certain sections have industrial inflation, but other parts of the country have depression. Genuine prosperity must be nation-wide.

But our so-called prosperity to-day is sectional. It appears only in spots. *It is a spotted prosperity—spotted and stained.* Wherever the war has directly reached the sources of production, business is good;

elsewhere business is bad. We must have a tariff that will protect all parts of the country alike in peace as well as in war, and make our prosperity genuine, steady, and national.

The capture of foreign trade is only less necessary than the preservation of our home markets and it will be harder to accomplish. Yet it must be done. We were making a surplus before the war; that surplus will be greater after the war. Unless we sell it abroad, we will have congestion at home. This means lower wages, idle men, tighter money—all the elements of a panic. *An unsold surplus is the blood clot in the heart of business.*

For a long time the nations at war cannot buy from us, except in special lines, more than a small part of what they were buying three years ago. We must win and keep our just share of those markets which our great rivals once monopolized. Our immediate field of trade expansion is South America, the Orient, Africa, the undeveloped and backward countries of the world. We have been mad that we did not turn every energy to securing those markets when war called our rivals from them. Instead of building up this normal trade which would have lasted and increased, we turned our energies to making munitions, an abnormal trade which will suddenly end, leaving hundreds of thousands of men without work, millions of capital unemployed, and disrupting still more our disorganized business. But the folly is committed and we must face our hard task not with mutual reproaches, but with stout hearts, united wills, and constructive minds.

Experience of the great commercial nations has shown that trade with undeveloped countries means the investment of capital to bring out their resources, banking institutions to handle credit and exchange, lines of merchant ships to carry goods. How can we expect our trade in South America to grow in normal times when goods must be carried on foreign ships to foreign ports and retransported on foreign ships; when payment must be made through foreign banks instead of American banks; when our rivals have fine systems for extending the credit and we have none; when the governments of our competitors encourage and protect the foreign enterprise of their business men and our government not only discourages similar efforts of American business men in the same field, but insults them for their pains?

Yet just that is what the administration did in the case of the first systematic attempt of American business men, with government approval, to plant the seeds of American trade and enterprise in the Orient. During the Presidency of William H. Taft, American capital arranged for loans to build great Chinese railways that would open immense resources, create new trade with millions of people and carry

western civilization to those still living in the atmosphere and surroundings of a forgotten age.

The government sanctioned the venture; it was the wisest act of that administration. Yet one of the first things Mr. Wilson did as President was to halt this American advance and declare to the world that the American government would not protect or even recognize American investments abroad. And this keynote to the foreign commercial policy of the administration was struck suddenly without notice to the American investors, without warning to American business, and even without consultation of the Cabinet.

Capital is as timid as it is useful, and, no matter what the possible profits on its investments, or how great the benefit to the Nation from which it comes, if it cannot have security it will not plant and raise the harvest which may be destroyed or which others my gather. Great Britain has about five hundred and fifty million dollars invested in fifty-three international banks with hundreds of branches while the United States has but one international bank with only six million five hundred thousand dollars of investment. Germany's foreign banking facilities before the war were more nearly perfect though not so numerous as those of Great Britain. France had and now has an admirable system of financing and encouraging trade with her immense possessions. Yet we, with a larger domestic banking capital than Germany, France and Great Britain combined, must depend on the financial agencies of our rivals even for exchange.

The first step we must take to build up American foreign trade is to get rid of an administration which has declared that it is opposed to American investments abroad and which has refused to protect American property anywhere on earth. American enterprise will not venture into other lands while it knows that it will suffer the fate that has befallen it in China, in Mexico, and even on the free and open seas. What American railroads will be built in any quarters of the earth, what American banks established, what American commercial houses founded, with the administration's mismanagement of Mexican affairs, written in letters of flame and blood, before the eyes of mankind?

What hope is there for our foreign trade under an administration which permits American lives to be sacrificed, American mail to be rifled, American ships and cargoes to be seized even when plying between American ports, American firms to be blacklisted and kept off the oceans, the export business of American houses destroyed for the benefit of foreign export houses, American trade forbidden except under written permission of a rival commercial power? When our government was not ten years old it retaliated with force rather than submit

to a fraction of the injuries to American trade that have been wrought without rebuke from us within the past few months.

The desertion of American rights on the ocean is but a weak repetition of our abandonment of them in Mexico. The strength of the administration in the Mexican question is that its malpractice of statesmanship has been so great that it cannot be described without seeming to exaggerate.

The administration found a de facto government stronger than any since the régime of Diaz. That government had been recognized by Great Britain, France, Germany, Russia, Japan, and other powers, upon the advice of their seasoned diplomatic representatives who had long been on the ground and knew the facts Yet the administration did not content itself with refusing to recognize this de facto government, but ordered it to dissolve without a successor to take its place. The administration did this upon the pretexts that the de facto Mexican government had not gained power according to the Constitution and laws of that country and that the de facto President was stained with crime. Yet since then the administration has nonchalantly recognized a government in Peru set up in a single night by force and murder.

On purely moral grounds, these pretexts would make us the arbiter in every contested change of government on earth and involve us as the deciding party in every revolution that occurs in any land. Unless it be admitted that we have a peculiar interest and a special duty in Mexico, the theory on which the President says he acted would have required us to interfere in the bloody changes of power that have recently taken place and are still taking place in China. If the pretext that Huerta held the Presidency through intrigue and bloodshed is a sound reason for the administration's action, then the American government ought in like manner to have demanded that the King of Servia quit the throne to which he had been lifted by murder and conspiracy—unless it be admitted that we have a peculiar interest and special duty in Mexico.

If the administration answers that China and Servia are far away while Mexico adjoins our borders and that, therefore, we have an interest in and owe a duty to the neighbor country which we do not owe to distant lands, it condemns its own conduct. It abandons the moral ground for its action because morality does not depend upon distance. It admits that we have a peculiar interest and a special duty in Mexico, because it is adjacent to us.

What, then, is that peculiar interest and special duty? Was it to depose the only government in Mexico because our President did not like the Mexican President? Was it to choose now this factional leader and now that bandit chief to be king for a day? And after thus inter-

fering and intriguing in Mexico until all government disappeared, and latent anarchy became active, did our peculiar interest and special duty require us to add to its fury? Was it our interest and duty to abandon American men and women to outrage and murder, American property to pillage and destruction, American rights to insult and mockery?

Did not our ordinary interest and common duty in Mexico require that American lives should be safeguarded, American property protected, American rights upheld? Was not a government necessary in Mexico strong enough to do these things? And when such a government no longer existed did not our sacred duty and supreme interest demand that we provide law, order, and competent authority?

But the administration looks upon Americans in Mexico as shifty adventurers, their investments as dishonorable hazards, their rights as fraudulent claims. Yet every American in Mexico went there on the invitation of that government and with the sanction of ours. In the last thirty years almost a billion dollars of American capital has been invested in Mexico. It was this money that developed Mexican resources. It was this money that built Mexican railways, opened Mexican mines, operated Mexican ranches, and gave employment to Mexican labor at wages many times higher than it ever had received before.

Along with this capital went thousands of Americans. They took their families with them. They were not Wall Street exploiters or gamblers of fortune. They were miners, ranchmen, engineers, railroad men, merchants, traders, and teachers. They were of the same stock as our pioneers who carved from what was once a part of Mexico the noble commonwealths of Texas and Utah, Nevada and New Mexico, Arizona and California.

American investments were made and American citizens established themselves in Mexico under a guaranty of safety, and upon the faith that over them was the shield of the United States. They had reason for that faith, not only because to protect the lives and property of their citizens in other lands is the settled and accepted policy of civilized nations, but also because the American government in solemn treaties with Mexico exacted the condition that American life and property in that country should be secure. When there was no longer any government in Mexico to fulfil those obligations it became our duty to restore law and order not only to safeguard American rights, but in the high interest of civilization itself.

There are hundreds of millions of European capital in Mexico and many British and German subjects. If Great Britain, France and Germany had not been at war the whole world knows that they would have said to us: "Take charge of Mexican affairs and restore law and order.

If you do not do this, we will do it ourselves." And the United States would have had to do the one or permit the other. Which alternative would we have chosen? Which course would it have been our duty and interest to have followed? And is not both our duty and our interest all the greater because war among themselves prevents those nations from setting up orderly government in that anarchy-ridden land?

The administration defends itself by asserting that the right to revolt is the very heart of liberty and that the convulsions in Mexico are the striving of people toward better things. We are told of our own struggle for freedom and of the chaos that followed our independence. We are reminded of the period of reconstruction after our Civil War. But at both these times we were a people—an homogeneous people whose ancestors had struggled through a thousand years toward orderly liberty.

Are the inhabitants of Mexico a people? They are an aggregation of tribes without common speech or customs and with no tradition behind them except that of violence and force. Of the fifteen million of human beings in Mexico, less than two million are of Caucasian blood, two million others are half-breeds, and nearly twelve million are Indians divided into nearly fifty tribes speaking as many different dialects.

Is this conglomeration of discordant and unrelated elements a people? Can the murderous writhings of such hostile groups be called a revolution? A real struggle of a real people for liberty always has developed a real leader who became the voice of the inarticulate masses and the stern organizer of disciplined freedom. England had her Cromwell, America her Washington. Where is the Mexican counterpart of these men? Is it Villa, the half-breed criminal who but yesterday was the favorite of the administration? Is it Carranza, his successor in the affections of our government? Is it some other hero yet to be born of "chaos and dark night"?

And who are the real revolutionists and against whom do they revolt? Madero revolted against Diaz, Huerta against Madero, Carranza against Huerta, Villa against Carranza, and Zapata is a free knight of liberty against any government anywhere by anybody.

If English freedom required a Cromwell, if American independence needed a Washington, what power is strong and brave and wise enough to stop factional vendettas in Mexico, give peace to her savage and undeveloped people, and set them on the highway of free and orderly industry, the only road that leads to liberty and civilization.

No one man is equal to that task. No individual or group in Mexico can perform it unless another Diaz should spring from that blood-soaked soil. If such an iron dictator should again appear could he give liberty and permanent peace in Mexico? Recent events answer that

question. The regeneration of Mexico requires the steady power of a whole nation schooled in the great truth that order is the first condition of permanent liberty. It needs the force and precision of the government of a people wise, calm, and unafraid of being the chosen instrument of destiny. That the inevitable in Mexico has become the immediate is the result of the administration's mishandling of a plain situation. Now we must free Mexico from the bondage of anarchy and from that duty we must not flinch.

There were only two sane courses to take in Mexico—to go in and restore order to the anarchy-maddened creatures of that country or to keep out and leave them to their mutual destruction. But the administration did both and neither. If to safeguard American lives is a duty, then the administration fled from that duty. If to protect American property is an obligation, the administration repudiated it. It allowed powder and guns and all the implements of warfare to pour across the borders, then closed the embargo on arms, then raised it again, and closed and raised it once more.

Every American citizen and every American soldier that has been shot to death was killed with an American bullet fired from an American rifle. Murder, arson, lust, rapine, desolation, are the fruits that have ripened under the policy of watchful waiting. We have not respected Mexican rights and yet we have not safeguarded American rights. And the administration that permitted this condition to develop and that is largely responsible for it, tells us that it will not lift a finger to change it. Yet we hear unctuous platitudes about guiding mankind aright and laying upon unruly nations the restraining hand of a superior brotherhood. If we turn our backs upon the practical duty at our doors, how can we realize impracticable idealism in distant lands?

No wonder that an administration with this conception of America's work in the world and place among the nations proposes also to surrender the wards of the nation in the Philippines to the iron rule of Japan. Who now are better off, the Filipinos or the Mexicans? Never in the history of the world has any government done so much in so short a time for backward people as we have done for the Filipinos. We have distributed the land among the natives, who to-day, for the first time, own the soil they till. We have policed the country so well that where violence, robbery and murder once reigned, life and property are as secure as they are anywhere in the United States itself. We have built roads and schoolhouses and taught the arts of peace. We have transformed squalor into prosperity, want into plenty, misery into happiness.

Our trade with the Philippines has increased from a few thousand

dollars to almost twenty-five million dollars annually. These islands are the richest on earth, and will soon develop a commerce with us of at least one hundred million dollars a year. They are the American commercial outpost in the Pacific, our center of trade at the door of the East. What would we think of Holland if she abandoned Java? Or of Great Britain if she surrendered Ceylon? Or of France if she fled from Morocco and Algiers? An administration that would strike the flag in the Philippines ought not to be kept in power.

So many and so great have been the humiliations which the administration's weakness, timidity, and lack of any consistent policy has brought upon us from every quarter of the globe that another grave indignity to the United States was hardly noticed and is already forgotten. Yet it involves the very sovereignty of the nation. It is incredible that we should have allowed a foreign power to dictate our legislation. Yet exactly that was done and in a manner that involved the very essence of nationhood—the absolute and hitherto unquestioned right to choose what aliens shall be admitted to the country and what aliens shall be excluded.

When at the last moment and almost upon the final passage of the immigration bill, the administration forced Congress, against its will and judgment and in opposition to the wishes of the American people, to change the bill as Japan demanded, it blazed the path which it trod again in those fatal days at the close of the last session. There is in principle no difference between the administration's frightened truckling to Japan on the one hand and its cowering submission to the threat of a nation-wide strike on the other hand. In principle, one was the surrender of our sovereignty to a foreign power; the other an abdication of the government to a domestic faction.

The excuse for permitting both humiliations is that each was the easiest and quickest way of getting out of the trouble. Anybody can always avoid each difficulty as it arises by yielding to the trouble-maker; but every trouble averted in this way breeds many others. If either of these cases had involved nothing more than policy, they might have been compromised with honor; but both were rooted in principle and principle cannot be compromised without dishonor and, in the final outcome, without certain disaster.

In the Japanese dispute an upstanding government would have said: "The question of what aliens shall come among us is the exclusive business of the United States alone. The representatives of the American people will weigh all arguments, and, unawed, unafraid, and uncoerced, decide what is best for the United States."

In the conflict between the railway managers and the labor chiefs a

real government would have declared that the nation is supreme over both; that neither side has the right to injure the whole people from which both draw their very life; that both must agree to settle their differences by just and honorable arbitration or else postpone their threatened battle until Congress could learn the facts and legislate upon those facts with wisdom and justice to both sides and in the interest of the whole nation whose service both sides perform.

And if these two combatants, hot with mutual hatred and unmindful of the nation's welfare, refused to follow that counsel of patriotic wisdom, then a real government would have used all the power of a real nation to keep uncut the arteries through which the lifeblood of the nation flows. And even if this could not be done, it would have been better to suffer temporary disaster than for the head of the nation to have forced Congress, in panic and in ignorance, to vote into law the demand of a small fraction of one per cent of the whole people, who alone in their collective capacity Congress exclusively represents.

The deadly hurt which the administration's juggling with expediency has wrought to the cause of organized labor is this—it has set that cause against the principle upon which the national existence depends; I have gone further than most in championship of the laborer's cause in all its phases; but between the nation as such and any power within the nation, I am for the nation. If as free citizens of a free Republic we could discuss the merits of the railroad controversy, calmly and impartially, I should, from what little is known, take the side of labor, for all my sympathies are with it.

But that is not the case. For the mighty issue before us is that of abdication of the national government itself, and until that vital question is settled and settled forever, no patriot can hesitate to take his stand, no matter what the cost. In a free Republic of free and equal men, better maintain law and order even though it mean the delay for a time of full justice to a few, than to blast the foundations of the government through which alone justice to all can be obtained. What must foreign governments think of this? The sacrifice of self-respect at home destroys respect abroad.

What answer does the partizan of the administration make to this long record of national humiliation abroad and national abasement at home?

Nothing but this campaign catchword: "The administration has kept us out of war."

With Whom?

If we had been in danger of war during the last three years and the administration had with honor saved us from that tragedy, that great

fact would have gone far to atone for the general malpractice of statesmanship from which the nation has suffered. This is not a time for partizan rancor. No American should allow personal animosity against the President of the United States to overrule his judgment on greater questions of the nation's well-being.

We ought to consider all the administration's acts with free, open, and unprejudiced minds and with a sincere desire to decide in the administration's favor if the facts will permit it. We ought to be happy that we are able to admit that this administration and that any and every administration has gone good things for the country, and that this and any other administration, past and to come, always has and always will intend to do the best it can for the welfare of the Republic.

In this spirit, then, let us see whether the claim that the administration "has kept us out of war" is true or whether it is one of those false and hollow campaign slogans which, too often, have taken the place of truth and reason in the heat and fury of the American campaigns.

Have we been kept out of war with Mexico? What is war? Merely a declaration? Our naval war with France was waged for two years without a declaration. Japan struck Russia without a declaration. War means offensive and deadly acts. We invaded Mexico and withdrew; but fighting took place and American marines were killed. Our territory was invaded by Mexicans who were driven out; but again Americans were killed. We invaded that country once more and to-day our military forces, with siege guns, are intrenched in the heart of Northern Mexico. They have fought with uniformed Mexicans and soldiers of both sides have fallen. Almost the whole of our effective military forces are kept on the border and lines of communication established with Pershing's men. Our War Department has held officially that a deserter from our army must be punished as in time of war. The government's censorship of all news from Mexico is more rigid than that of the European belligerents. If all this is not war, what is it? If such a state of things existed between ourselves and any other nation, what would we call it? What would the world call it?

Has the President kept us out of the European war? Did we want to go to war with any nation engaged in that conflict? No. Aside from a group of passioned-blinded and prejudiced inflamed hot-heads, so few that in number they are negligible, the American people have been and are solidly opposed to engaging in the war for or against any of the European belligerents.

Did any of the warring nations want to fight us? No. Every one of them already have more than enough of war on its hands. No President could have possibly gotten us into war except by an act of mad-

ness unthinkable in anyone who could be chosen as the chief Magistrate of the United States.

We could have prevented every outrage that we have tamely suffered, stopped every depredation on our commerce, without getting into the war. We could even have retaliated for the abuses which have been and now are increasingly practised upon us without the least danger of being drawn into the conflict.

Did Grover Cleveland get us into war with Great Britain when he defied that power with an ultimatum which meant hostilities if it was not heeded? No. And yet Great Britain was not then already engaged in war that taxed her strength to the uttermost as she now is.

Who kept Sweden out of the war? Yet Sweden is so near to the flames of the battle that they almost scorch her. And what has been done to us has been attempted with Sweden. But although not so large as the average American state and not so populous as some, Sweden has protected her interests and her honor by the firm word of a government that meant what it said, backed by a prepared people, peaceful, but spirited, and not too proud to fight. When Great Britain seized Swedish mail, Sweden seized British mail; after that retaliation Swedish mail has not been violated. Yet Sweden is at peace.

Who kept Holland out of the war? Yet you may hear in Amsterdam the roar of the guns.

Who kept Switzerland out of the war? Yet its flames mount to the heavens upon her very borders.

Who kept Spain out of the war?

Who kept Norway out of the war?

And why did all these countries keep out of the war?

Because none of them wanted to get into the war and because while each side wanted to fight for it, neither side wanted them to fight against it.

And how did they keep out of the war? By practising an honest neutrality and being prepared to maintain it.

And where do these little nations who kept out of the war with honor now stand in the esteem of the belligerents in comparison with their opinion of us? So high that while the President of Switzerland or King of Spain might be called to preside over the peace conference it is certain that the President of the United States will have no voice or place in that historic and fateful council.

Why is it that the whole world respects, trusts, and admires other nations which, with more temptations than we had to go into the war, nevertheless kept out of the war while we alone are held in universal distrust, derision and contempt?

And what of South American nations? They have kept out of war. Yet nobody is running for President of any South American Republic on the plea that he kept the country out of war.

The campaign slogan that the "administration has kept us out of war" is no more argument in its favor than to say that the administration ought to be kept in power because the President did not burn down the White House.

But will not the administration's foreign program get us into future wars if that program is adopted and if future wars occur? The President has formally announced that policy to be for the United States to join an international alliance in order to maintain by force these four purposes:

First, to enable every people "to choose the sovereignty under which they shall live."

Second, to defend "the sovereignty and territorial sovereignty of the small states of the world."

Third, to free the world from "aggression and the disregard of the rights of peoples and of nations."

Fourth, "to prevent any war begun contrary to either treaty, covenants, or without warning."

Is that program one of peace? Is it not, rather, an incubator of wars? Can such another nest of serpent's eggs be found in the records of the world's tangled statesmanship?

Had these proposals of the administration been carried out the United States would have gone to war with France to prevent her seizure of Dahomey, Morocco and Algiers; with Great Britain when she occupied Egypt; with Japan when she swallowed Korea; with Germany when she took a part of the Chinese Empire; with Great Britain again when she overthrew the Boer Republic and Orange Free State and compelled their desperately resisting people to accept the rule of an alien power; with Russia and Great Britain at the present moment on account of their partition of Persia.

It cannot be said that the violated people of these countries were not nations for we and even the absorbing Powers had treaties with every one of them. Some of them were nations before Columbus discovered America.

Where would the President's avowed foreign policy of joining an alliance to resist aggression and the violation of treaties lead us? In every war, each side always claims that the other side is the aggressor. Which nation was the aggressor in the Russo-Japanese war? Which the aggressor in the Chino-Japanese war? Which the aggressor in the many South American wars? And suppose, as always happens, that

the nation involved felt its dearest rights and interests at stake and would not accept the opinion of Mr. Wilson's international alliance? Ought the United States go to war to force that nation to yield?

Yet Mr. Wilson calls such an international engagement "a disentangling alliance." What an example of his gift of confusing statement. A partnership which would draw us into a jungle of foreign troubles from which we are now free, is termed "a disentangling alliance."

Are not these the certain consequences of the departure from the one and only foreign policy which the United States has steadily pursued since it was announced by George Washington? He was President during a period exactly like the present when the same passions flamed, that blind us now, the same arguments were advanced in the same terms that we hear to-day, and some of the same proposals made that are urged at the present time. After five years of counsel with the ablest statesman of that wonderful era of wonderful men, Washington, the greatest of them all, declared as the sum of their combined wisdom that this Republic ought always to be if with honor it could be, the friend of every nation, but never under any circumstances the ally of any nation. That wisest and most constructive mind of his time, the great Chief Justice Marshall, avowed time and again that this nation ought not to make an alliance "with any nation on earth," even to avoid war and to insure the safety of the country.

"America the friend of all nations, the ally of none"—that policy and that alone was the only one upon which all the founders and builders of the Republic agreed. From the time of Washington and Jefferson, of Adams and Madison, of Hamilton and Marshall, until the time of Woodrow Wilson, that has been the single policy on which all American statesmen and all American political parties have been in absolute accord.

And this is the policy which Mr. Wilson says that he means to destroy. We had a hint of this intention when he asked Congress to reverse itself, disregard his own words and the platform of his own and other parties and disavow the policy of the Taft administration in the matter of surrendering the exclusive American control of the Panama Canal. In his Canal speech to Congress the President uttered this mysterious sentence:

"I shall not know how to deal with other matters of even greater delicacy and nearer consequences if you do not grant it to me in ungrudging measure."

What did the President mean by that? He was speaking of our foreign relations when he uttered those words. He said it after incorrectly stating foreign opinion that we should abandon the American interpreta-

tion of a treaty concerning a matter which he himself a little while before had declared to be wise and just. In that formal address to Congress he bravely took what he declared to be the foreign contention and frankly opposed the American position which he himself had supported when a candidate.

Just what, then, did he mean by that cryptic sentence? He never has explained it. Did he then have in mind what he recently has avowed, an intention to make foreign alliances? Has this been Mr. Wilson's settled purpose, hidden until now, and even now only partially revealed?

With what nation or nations would he make the United States an ally? Is it not fair to ask and demand an answer to that question which involves not only a departure from the only traditional foreign policy the United States ever had, but also the perpetuity of the Republic as a separate, distinct, and independent people.

Foreign affairs are in the hands of the man we choose as our President. The temperament, character, and quality of his mind are of vital concern to the nation. His words and deeds have revealed to the world the characteristics of Mr. Wilson. Fairminded and unprejudiced men concede his good intentions. It is impossible to think that he does not mean well. But does all this modify that mingled instability and obstinacy which events have shown to be ingrained in his nature? Is he not a composite of prejudice and timidity, of rancor and idealism, of intellectuality and indecision, of high purposes and unpractical methods?

Is not the key to the mystery of Woodrow Wilson his unwillingness to encounter trouble in the hope that something will turn up that will enable him to avoid it? And does not his strange genius for deceptive phrase make these elements of the man all the more dangerous to the nation? A keen Englishman thus described a weathervane British statesman with a Wilsonian faculty for misleading language: *"He is a clock which when it strikes four it means half-past seven and then I know it may be either a quarter before ten or twenty minutes past two."*

At this troubled time and in the constructive period that will follow, our interest, our honor, our safety, call for a President who is steady and knows his own mind and the mind of the country. It is vital to our welfare that our President should be clear in thought, plain in speech, sound in judgment, firm in decision and so trustworthy that he inspires personal confidence even in those who do not agree with his policies. It is because I know that he fulfils every one of these requirements that I am doing what I can and all I can to help elect to the Presidency, Charles Evans Hughes.

Steadiness, courage, spiritual kinship with the people, an instinctive understanding of the soul of the country and the gift of interpreting the

large and permanent aims of greater America, and above all that vision without which "the people perish." These are the high essentials which should be possessed by the President of the American Nation.

The building of the nation still goes on. Our greatest task is yet before us. That task is the fusing of different racial elements into a compact, harmonious and distinctive people with a single patriotic devotion, the devotion to America; a single will, the will to make America strong, prosperous, and beneficent; a single hope, the hope that America shall achieve her rightful place as a leader of the progress of the world.

Just as the union of the states gave the form of a nation, so the union of the races must give the substance of nationhood. To this end our common watchword for a long time to come must be, not America first, but AMERICA ONLY.

In foreign relations that watchword must mean that without bluster or truckling, Americans, calm, steady, and unafraid, stand ready as a single people to maintain American rights, peaceably if we may, forcibly if we must.

Among ourselves America Only means, not that we shall stifle that natural affection for other lands from which our ancestors came, but that we shall realize that America and America Only is our hearthstone and roof tree; that here and here only are our interests, here and here only is our duty, here and here only our hearts abide.

America Only means that whatever the land of our origin, or the time of our coming to these shores, we shall so think and act and live that our children and children's children shall call America the land of their fathers.

Fate is either weaving out of our diverse citizenship a great new people in America or else we are doomed to racial dissensions that will disintegrate us in the end. God grant the first and God avert the last. And if, in our land, a distinctive race is being formed to be known to the world and to history as "the Americans," the only loom on which that fabric can be woven is tolerance.

True Americanism means in equal measure freedom of opinion, respect for the opinion of others, and submission in conduct to the opinion of the majority while it lasts.

True Americanism requires that each man, while firmly holding to his own views, shall concede that others are equally sincere in their views.

True Americanism is as broad and kind as it is firm and brave. There is no bigotry in its creed. It is a civic religion of patriotic brotherhood, too noble and generous to exclude any group of loyal Americans from its communion. True Americanism is the expression of that brightest word in the vocabulary of human freedom—liberalism.

When true Americanism shall have finished its creative work and a new and homogeneous people shall appear among mankind, it will form a nation related to every other nation of the Occident. Thus it and it alone will be fitted to lead all the peoples of our blood to that union which must come if Western civilization is to advance or even to survive.

True Americanism trusts the common people. It believes that their heart is sound, their conscience clean, their instinct true; and that the only passion of their lives is love of America and devotion to the flag. They have proved these truths by patient toil in peace and whole hearted sacrifice in war. Abhorring conflict, the common people of America never yet have flinched from battle in the cause of liberty or in the defense of American rights.

True Americanism knows that at the fireside of the plain people dwell the strength and hope of the Republic and the promise of the grander America that shall be. On that rock we build our house, and though "the floods come and the winds blow and beat upon that house it shall not fall, for it is founded" not on the shifting sands of class, but upon the everlasting rock of all the people's loyalty and affection for America and for America only.

§ 21

KEYNOTE SPEECH OF DEMOCRATIC NATIONAL CONVENTION

By Homer S. Cummings

(Delivered in San Francisco, June 28, 1920.)

At this high hour when the destinies not only of political parties but of peoples are at stake; when social unrest is everywhere apparent; when existing forms of government are being challenged, and their very foundations disturbed or swept away, it is well for us, here in America, to pause for a period of solemn deliberation.

We, who assemble in this great convention, counsel together, not merely as members of a party, but as children of the republic. Love of country and devotion to human service should purge our hearts of all unworthy or misleading motives. Let us fervently pray for a divine blessing upon all that we do or undertake. Let us pledge ourselves anew to equality of opportunity; the unity of our country above the inter-

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ests of groups or classes; and the maintenance of the high honor of America in her dealings with other nations.

The people will shortly determine which political instrumentality is best suited to their purposes, most responsive to their needs. They will have before them many platforms and many promises. In what direction will they turn? There is no better way of judging the future than by the past. We ask, therefore, that the people turn from the passions and prejudices of the day to the consideration of a record as clear as it is enduring.

The Republican party was unsuccessful in the elections of 1912 because it had persistently served special interests and had lost touch with the spirit of the time. Those who controlled its destiny derived their political inspiration from "the good old days of Mark Hanna" and neither desired a new day nor were willing to recognize a new day when it had dawned. To each pressing problem, they sought merely to reapply the processes of antiquity.

There were elements in the Republican party which were intolerant of its mental sloth and moral irresponsibility. These influences sought to gain party control in 1912 and again, in 1916. They renewed the hopeless struggle at the convention recently held at Chicago.

Despite these efforts, the leaders who have manipulated the party mechanism for more than a generation, are still in undisputed control.

The Republican platform, reactionary and provincial, is the very apotheosis of political expediency. Filled with premeditated slanders and vague promises, it will be searched in vain for one constructive suggestion for the reformation of the conditions which it criticizes and deplores. The oppressed peoples of the earth will look to it in vain. It contains no message of hope for Ireland; no word of mercy for Armenia; and it conceals a sword for Mexico. It is the work of men concerned more with material things than with human rights. It contains no thought, no purpose which can give impulse or thrill to those who love liberty and hope to make the world a safer and happier place for the average man.

The Democratic party is an unentangled party—a free party—owing no allegiance to any class or group or special interest. We were able to take up and carry through to success the great progressive program outlined in our platform of 1912. During the months which intervened between March 4, 1913, and the outbreak of the world war, we placed on the statute books of our country more effective, constructive and remedial legislation than the Republican party had placed there in a generation.

The income tax was made a permanent part of the revenue producing

agencies of the country, thereby relieving our law of the reproach of being unjustly burdensome to the poor. The extravagances and inequities of the tariff system were removed; and a Non-partizan Tariff commission was established so that future revisions might be made in the light of accurate information, scientifically and impartially obtained. Pan-Americanism was encouraged; and the bread thus cast upon the international waters came back to us many fold. The great reaches of Alaska were opened up to commerce and development. Dollar diplomacy was destroyed. A corrupt lobby was driven from the national capitol. An effective seaman's act was adopted. The Federal Trade commission was created. Child labor legislation was enacted. The parcel post and the rural free delivery were developed. A good roads bill and a rural credits act were passed. A secretary of labor was given a seat in the cabinet of the president. Eight-hour laws were adopted. The Clayton amendment to the Sherman anti-trust act was passed, freeing American labor and taking it from the category of commodities. The Smith-Lever bill for the improvement of agricultural conditions was enacted. A corrupt practice act was adopted. A well-considered warehouse act was passed. Federal employment bureaus were created. Farm loan banks, postal savings banks and the federal reserve system were established.

These enactments and many other provisions of a remedial character, had a cleansing and quickening effect upon the economic life of our country. The farmer was freed from the deadening effects of usurious financial control. Labor was given its *Magna Charta* of liberty. Business and finance were released from the thraldom of uncertainty and hazard. The economic life of America was refreshed by the vitalizing breath of economic freedom.

This extraordinary narration sounds like a platform of promises. The sober fact is that it is an inadequate recital of actual performance. It constitutes Democracy's response to the demands of social justice. It is our answer to the antiquated slander that the Democratic party is unable to understand the great affairs of the country.

If the Democratic party had accomplished nothing more than the passage of the federal reserve act, it would be entitled to the enduring gratitude of the nation. This act supplied the country with an elastic currency controlled by the American people. Panics—the recurring phenomena of disaster which the Republican party could neither control nor explain—are now but a memory. Under the Republican system, there was an average of one bank failure every twenty-one days for a period of nearly forty years. After the passage of the federal reserve system there were, in 1915, four bank failures; in 1916 and 1917, three

bank failures; in 1918, one bank failure; and in 1919, no bank failures at all. The federal reserve system, passed over the opposition of the leaders of the Republican party, enabled America to withstand the strain of war without shock or panic; and ultimately made our country the greatest creditor nation of the world.

And then the great war came on. Ultimately, by the logical steps of necessity, our peace-loving nation was drawn into the conflict. The necessary war legislation was quickly supplied.

A war finance corporation was created. War risk insurance was provided. Shipbuilding laws reëstablished America's supremacy upon the seas. The office of alien property custodian was created. A war industries board was established. A war trade board was created. Food and fuel regulations were formulated. Vast loans were successfully floated. Vocational training was provided. A National Council of Defense was created. Industry was successfully mobilized.

Almost over night, the factories of the nation were made a part of the war machine, and the miraculous revival of the shipping industry filled the ocean lanes with our transports.

Our fleet laid the North sea mine barrage. We sent fighting craft to every sea and brought new courage and inventive genius to the crucial fight against the U-boat.

In transporting our troops to France, we never lost a man in a ship convoyed by the American navy.

One of the first decisions was between the "volunteer system" and the selective draft. Many patriotic citizens strongly deprecated conscription and dreaded its possibilities. The administration, however, placed its influence behind the measure, secured its passage, and made possible the winning of the war.

It proved a democratic system assuring equal service, equal danger and equal opportunity. At one stroke of the pen, bounty jumping and the hired substitutes that had disgraced the management of the Civil war were made impossible. The selection of men to go to the front was placed not merely in the hands of the civil authorities, but actually in the hands of the friends and neighbors of the men eligible for service. No fundamental law was ever administered with such scrupulous honor. Not one breath of scandal touched this legislation; and so cheerfully was it accepted that to-day, the term "draft dodger" is an epithet of reproach in any community.

Partizanship was put aside in the selection of General Pershing as leader of our forces and no military commander in history was ever given a freer hand or more unflagging support. The policy of selecting officers through training camps avoided the use of political favorites,

and guaranteed competent leadership for the youth of the land. Ten million men were registered within three months from the declaration of war and thirty-two camp cities, complete in every municipal detail, were built in ninety days.

In France, we had to construct our own docks, railroad lines, storage depots, hospitals and ordnance bases. We had to cut down the forests for our barracks. In June, two months after the declaration of war, our fighting men were in France; in October, Americans were on the firing line; in scarcely more than a year, we had 2,000,000 men in France, had whipped the enemy at Belleau Wood, beaten him back at Château-Thierry, wiped out the St. Mihiel salient and delivered the terrific hammer blow at Sedan that virtually ended the war.

Less than two years ago, General Haig, with the bluntness of a soldier, said: "The British army is fighting with its back to the wall;" Lloyd George was crying: "It is a race between Wilson and Hindenburg;" and France clung like a drowning man to the Rock of Verdun, turning agonized eyes toward America. And America came. We challenge the critics of the administration to point out how, within the limits of human possibility, the war could have been won more promptly or with less loss of American life.

It was not by mere chance that these things were accomplished. To readjust the processes of peace so as to serve the activities of war required leadership of unexampled skill. Petty criticism of minor defects and individual officials may for a time attract a superficial attention, but the significant things, the great oustanding facts plead eloquently for the Democratic cause.

Let no one misunderstand us. These great affairs were carried forward under the stimulus of American patriotism, supported by the courage and the spirit of our people. All this is freely and gladly acknowledged, but surely the time has come when because of the calculated criticism and the premeditated calumnies of the opposition, we are entitled to call attention to the fact that all of these things were accomplished under the leadership of a great Democrat and a great Democratic administration. We have no apologies to make—not one. We are proud of our great navy; we are proud of our splendid army; we are proud of the power of the country and the manner in which that power has been used; we are proud of the work that America has done in the world; we are proud of the heroism of American men and women; and we are proud of the inspired and incomparable leadership of Woodrow Wilson.

Has not the time come when all Americans, irrespective of party, should begin to praise the achievements of our country rather than to

criticize them? Surely a just and righteous sense of national pride should protect us from the insensate assaults of mere partizans. We fought a great war, for a great cause, and we had a leadership that carried America to greater heights of honor and power and glory than she has ever known before in her entire history. If the American flag must be lowered, it will be hauled down in a Republican convention and not in a Democratic convention.

It is this shining record of tremendous achievement that Republican managers and the Chicago platform seek to shame and besmirch. Various congressional committees, which for want of a more appropriate term, are called "smelling committees," were appointed for the purpose of ascertaining whether or not there was any graft in the conduct of the war. Over 80 investigations have been made, over $2,000,000 have been wasted, and the one result has been to prove that it was the cleanest war ever fought in the history of civilization.

Through the hands of a Democratic administration, there have passed more than $40,000,000,000, and the finger of scorn does not point to one single Democratic official in all America. It is a record never before made by any political party in any country that ever conducted a war.

If Republican leaders are not able to rejoice with us in this American triumph, they should have the grace to remain silent, for it does not lie in the mouths of those who conducted the Spanish-American war to indulge in the luxury of criticism. What was there in this war to compare with the typhoid infested camps and the paper soled shoe controversy of 1898? What was there in this war to compare to the embalmed beef scandal of the Spanish-American war? Despite all their investigations, not one single Democratic official has either been indicted or accused or even suspected; and the only dignitary in America, of any outstanding political significance, who is moving in the direction of the penitentiary is Truman Newberry, Michigan.

The very power of the Republican party to conduct a partizan investigation of the war, to criticize the president, to control the organization of the senate and to wreck the prospect of world peace, rests upon a bare majority of one, secured through the tainted senatorial vote from Michigan.

The Republican party became so fixed in its incorrigible habit of conducting investigation that it finally turned to the fruitful task of investigating itself. For the first time since they entered upon this program, they discovered fraud and graft and gross and inexcusable expenditures. The revelations disclose the fact, long understood by the initiated, that the meeting at Chicago was not a convention but an

auction. The highest bidder, however, did not get the prize. The publicity which overtook the proceedings frustrated the initial purpose. In more senses than one, the recent Chicago convention has left the Democratic party as the sole custodian of the honor of the country.

There are men so small in spirit, so pitifully cramped in soul, that they suggest that the war cost too much. The Republican platform echoes this complaint. It was, indeed, an expensive war. War is the most wasteful thing in the world. But is money to be measured against the blood of American soldiers? Would it not be better to spend a billion dollars for shells that were never exploded, than to have one American boy on the firing line minus an essential cartridge? Was it not better to prepare for a long war and make it short, than to prepare for a short war and make it long? When criticism is made of the expense of war, let us not forget that we bought with it the freedom and the safety of the civilization of the world.

Again, they say that we were not prepared for war in a strict military sense, a democracy is never prepared for war; but America made ready in a way that was far more effective than by maintaining, at enormous cost, great armaments, which neither party ever advocated and which our people would never approve.

Wars are not fought by armies alone. They are fought by nations. It is a measuring of the economic strength of nations. The front line trench is not stronger than the forces which lie behind the trench. The line of communication reaches back to every village, farm, counting house, factory and home. America prepared by making the economic life of the country sound.

What would have been our situation if, prior to the outbreak of the war, we had not prepared so that our farmers were able to feed the armies of the world? What would have been our situation if labor had not been willing to follow the leadership of the president? What would have been the situation if the Republican party had been in control and had maintained its old attitude toward legislation? There would have been an inevitable breaking down of the economic structure of our country. We would have been caught in the throes of a panic more devastating than any we had ever known. Industrial life would have been disorganized and the tasks of war, difficult as they were, might then have become altogether impossible.

The Republicans have now been in control of the senate and the house for more than a year. They won the election of 1918 upon the faith of alluring promises. They said that they would earnestly support the president, at least, until the tasks of war were finished. It was their contention that they would enter upon the work of recon-

struction with superior intelligence and even with greater patriotism than would be possible under Democratic leadership. They gave publicity, when they entered upon the recent session, to detailed and ambitious statements as to their program. If we are to be judged, as I hope we may be, by the record, let them also be judged by the record. What have the Republicans accomplished since their political successes in 1918? What beneficial results have flowed to the American people? What promises have been redeemed? What progress has been made in the settlement of foreign or domestic questions?

Twice the president went before congress, since the termination of hostilities, calling attention to needed legislation. He urged the passage of laws relating to profiteering measures to simplify and reduce taxation; appropriate action relative to the returning soldiers; the passage of a resolution concerning the constructive plans worked out in detail by former Secretary Lane, and the measures advocated by the secretary of agriculture. He suggested that the congress take counsel together and provide legislation with reference to industrial unrest, and the mutual relations of capital and labor. After more than a year of sterile debate, our country has neither peace nor reconstruction. Barren of achievement, shameless in waste of time and money, the record of the present congress is without parallel for its incompetencies, failures and repudiations. Are the American people so unjust or so lacking in discrimination that they will reject the service of a party which has kept its word, and place trust in a party which merely renews the broken promises of a previous campaign?

Republican leaders have been moved by a strange and inexplicable jealousy of the president. Their feverish animosity, expressed in gross abuse and through secret intrigue, has been productive of one of the most unhappy chapters in American history, recalling the similar experiences of Lincoln and Washington. Political malice followed the president to the peace table. A senatorial "round robin" was widely circulated. Every device which partizanship could develop was employed for the purpose of weakening the influence of our commission at Paris, and making the task there still more difficult. At a time when every instinct of fairness pleaded for a whole-hearted support of the president, political antagonism and personal envy controlled the anti-Administration forces.

The president made every sacrifice for the cause of peace. The long continued strain, while composing differences abroad; the expenditure of nervous vitality and intellectual force in building a new order of human relationships upon the ruins of the old, laid heavy toll on his reserve powers. Then came the return in triumph, only to find here

a widespread propaganda of opposition, making it imperative that he take up in his own country a struggle for that which had been won at such incalculable cost. Following the superhuman labors of seven years of unexampled service, this meant the wreck of his health, sickness for months upon a bed of pain, and worse than the physical sickness, the sickness of heart which comes from the knowledge that political adversaries, lost to the larger sense of things, are savagely destroying not merely the work of men's hands, but the world's hope of settled peace. This was the affliction—this the crucifixion.

As he lay stricken in the White House, the relentless hand of malice beat upon the door of the sick chamber. The enemies of the president on the floor of the senate repeated every slander that envy could invent, and they could scarcely control the open manifestation of their glee when the great man was stricken at last. The congress was in session for months while the president lay in the White House, struggling with a terrifying illness and at times close to the point of death. He had been physically wounded just as surely as were Garfield and McKinley and Lincoln, for it is but a difference of degree between fanatics and partizans. The congress, during all this period, when the whole heart of America ought to have been flowing out in love and sympathy, did not find time, amid their bickerings, to pass one resolution of generous import or extend one kindly inquiry as to the fate of the president of their own country.

And what was his offense? Merely this—that he strove to redeem the word that America had given to the world; that he sought to save a future generation from the agony through which this generation had passed; that he had taken seriously the promises that all nations had made that they would unite at the end of the war in a compact to preserve the peace of the world; and that he relied upon the good faith of his own people. If there was any mistake, it was that he made a too generous estimate of mankind, that he believed that the idealism which had made the war a great spiritual victory, could be relied upon to secure the legitimate fruit of the war—the reign of universal peace.

In one sense, it is quite immaterial what people say about the president. Nothing we can say can add to or detract from the fame that will flow down the unending channels of history. Generations yet unborn will look back to this era and pay their tribute of honor to the man who led a people through troublous ways out of the valleys of selfishness up to the mountaintops of achievement and honor, and there showed them the promised land of freedom and safety and fraternity. Whether history records that they entered in or turned their backs upon the vision, it is all one with him—he is immortal.

There are men who seem to be annoyed when we suggest that American honor is bound up in this contest, and that good faith requires that we should enter the League of Nations. The whole Republican case is based upon the theory that we may, with honor, do as we please about this matter and that we have made no promises which it is our duty to redeem. Let us turn again to the record.

The Republican party, in its platform in 1916, had declared for a world court, "for the pacific settlement of international disputes." The Progressive party in 1912 and in 1916 had likewise declared for an arrangement between nations to make peace permanent. The Democratic party in 1916 had specifically declared in favor of the establishment of a League of Nations. The senate itself, Aug. 28, 1916, by unanimous vote, passed a measure requesting the president to take the lead in such a world movement.

On Dec. 18, 1916, the president addressed an identic note to the nations at war, requesting them to state the terms upon which they would deem it possible to make peace. In this note, he proposed the creation of a League of Nations, saying:

"In the measures to be taken to secure the future peace of the world, the people and government of the United States are as vitally and directly interested as the governments now at war. . . . They stand ready and even eager to coöperate in the accomplishment of these ends when the war is over with every influence and resource at their command."

This was four months before America entered the war.

To this identic note, the central powers answered evasively, but the Allies, in their reply dated at Paris, Jan. 10, 1917, declared:

"Their whole-hearted agreement with the proposal to create a League of Nations which shall assure peace and justice throughout the world."

On Jan. 22, 1917, the president addressed the senate with reference to these replies, and said:

"In every discussion of the peace that must end this war, it is taken for granted that the peace must be followed by some definite concert of power which shall make it virtually impossible that any such catastrophe shall overwhelm us again."

Speaking of the league of peace which was to follow the war, he said:

"If the peace presently to be made is to endure, it must be a peace made secure by the organized major force of mankind."

Acting on these proposals, both the French and the British governments appointed committees to study the problem while the war was still in progress.

On April 2, 1917, the president delivered his famous war message to congress, and thrilled the heart of the country anew by his announced

purpose to make the contest "a war against war." High above all of our other aims he placed "a universal dominion of right by such a concert of free peoples as shall bring peace and safety to all nations and make the world itself at last free."

Following this message, the congress, by resolution, passed April 6, 1917, recognized the state of war.

On Jan. 8, 1918, the president went before congress and set forth his famous 14 points. The fourteenth point, which is practically identical in language with the provisions of Article X. of the covenant provided that "a general association of nations must be formed under specific covenants for the purpose of affording mutual guarantees of political independence and territorial integrity to great and small states alike."

Senator Lodge himself, before the exigencies of politics forced him to take the other side, said that an attempt to make a separate peace would "brand us with everlasting dishonor" and that "the intent of congress and the intent of the president, was that there could be no peace until we could create a situation where no such war as this could recur."

Former President Roosevelt, on July 18, 1918, said:

"Unless we stand by all our allies, who have stood by us, we shall have failed in making the liberty of well-behaved, civilized peoples secure and we shall have shown that our announcement about making the world safe for democracy was an empty boast."

On Nov. 4, 1918, the armistice was agreed to and it was concluded upon the basis of the 14 points set forth in the address of President Wilson delivered to congress on Jan. 8, 1918, and the principles subsequently enunciated by him. At no point, at on time, during no period while this history was in the making, was one responsible American voice raised in protest.

Thus, before we entered the war, we made the pledge; during the war we restated the pledge; and when the armistice was signed, all the nations, ourselves included, renewed the pledge; and it was upon the faith of these promises that Germany laid down her arms. Practically all of the civilized nations of the earth have now united in a covenant which constitutes the redemption of that pledge. We alone have thus far failed to keep our word. Others may break faith; the senate of the United States may break faith; the Republican party may break faith; but neither President Wilson nor the Democratic party will break faith.

In this hemisphere, the mere declaration of our young republic that the attempt of any foreign power to set foot on American soil would be considered an unfriendly act, has served to preserve "the territorial integrity and the political independence" of the nations of Central and South

America. The treaty pledges all of the signatories to make this doctrine effective everywhere. It is the Monroe Doctrine of the world.

The purpose of the league is to give notice that if any nation raises its menacing hand and seeks to cross the line into any other country, the forces of civilization will be aroused to suppress the common enemy of peace. Therein lie the security of small nations and the safety of the world.

Every war between nations that has ever been fought began in an attempt to seize foreign territory or to invade political independence. If, in 1914, Germany had known that in the event of hostilities Great Britain would have entered the war; that France would go in; that Italy would go in; that Japan would go in—there would have been no war.

The opponents of the treaty cry out "Shall we send our boys abroad to settle a political quarrel in the Balkans?" Immediately, the unthinking applaud and the orator records a momentary triumph. Have we forgotten that that is precisely what America has already done? Have we forgotten that we sent more than two million men to France, spent more than twenty billions of dollars and sacrificed nearly a hundred thousand lives to settle a Balkan dispute?

There was a controversy between Serbia and Austria. Territorial questions, political rights and boundary lines were involved. The crown prince of Austria was assassinated. A little flame of war licked up into the powder house of Europe, and in a moment the continent was in flames. It took all the power of civilization to put out the conflagration. How idle to inquire whether we wish to send our boys to settle political disputes in the Balkans!

It is extraordinary that men should waste our time and vex our patience by suggesting the fear we may be forced into future wars while forgetting entirely that America was forced into this greatest of all wars. No League of Nations existed when we entered the war; and it was only when we formed in haste, in the midst of battle, a league of friendship, under unified command, that we were able to win this war. This association of nations, held together by a common purpose, fought the war to a victorious conclusion, dictated the terms of the armistice and formulated the terms of peace. If such a result could be achieved by an informal and temporary agreement, why should not the association be continued in a more definite and binding form? What plausible reason can be suggested for wasting the one great asset which has come out of the war? How else shall we provide for international arbitration? How else shall we provide for a permanent court of international justice? How else shall we provide for open diplomacy? How else shall we provide for progressive disarmament? How else shall we

check the spread of bolshevism? How else shall industry be steadied so that the processes of healing may serve their beneficent purpose? Until the critics of the league offer a better method of preserving the peace of the world, they are not entitled to one moment's consideration in the forum of the conscience of mankind.

Not only does the covenant guarantee justice for the future but it holds the one remedy for the evils of the past. As it stands to-day, war is the one way in which America can express its sympathy for the oppressed of the world. The League of Nations removes the conventional shackles of diplomacy. Under the covenant, it is our friendly right to protest against tyranny and to act as counsel for the weak nations now without an effective champion.

The Republican platform contains a vague promise to establish another or a different form of association among nations of a tenuous and shadowy character. Our proposed co-partners in such a project are unnamed and unnamable. It is not stated whether is is proposed to invite the nations that have established the present league to dissolve it and to begin anew, or whether the purpose is to establish a new association of a competitive character, composed of the nations that repudiated the existing league. The devitalizing character of such an experiment requires no comment. Fatuous futility could be carried no further. There is no mental dishonesty more transparent than that which expresses fealty to a League of Nations while opposing the only League of Nations that exists or is ever apt to exist. Why close our eyes to actual world conditions? A League of Nations already exists. It is not a project, it is a fact. We must either enter it or remain out of it.

What nations have actually signed and ratified the treaty?

Brazil, Bolivia, Great Britain, Canada, Australia, South Africa, New Zealand, India, Czecho-Slovakia, Guatemala, Liberia, Panama, Peru, Uruguay, Siam, Greece, Poland, Japan, Italy, France and Belgium.

What neutral states, invited to joint the league, have actually done so?

Norway, Venezuela, the Netherlands, Denmark, Colombia, Chile, Argentina, Paraguay, Persia, Salvador, Spain, Sweden and Switzerland.

Even China will become a member when she ratifies the Austrian treaty.

Germany has signed and is preparing to take the place which awaits her in the League of Nations.

What nations stand outside? Revolutionary Mexico, Bolshevist Russia, Unspeakable Turkey and—the United States of America.

It is not yet too late. Let us stand with the forces of civilization. The choice is plain. It is between the Democratic party's support of the League of Nations, with its program of peace, disarmament and world

fraternity, and the Republican party's platform of repudiation, provincialism, militarism and world chaos.

There is great pretense of alarm because the United States has but one vote in the international assembly, against the six votes of Great Britain, Canada, Australia, New Zealand, South Africa and India. This popular argument against the League of Nations is as insincere as it is superficial. It ignores the fact that the executive council, and not the assembly, is the governing body of the league, and that our country is one of the five countries having permanent membership in the council. The colonial votes exist only in the assembly.

Nor should we forget that France has but one vote; Italy has but one vote, and Japan has but one vote. If there were any injustice in the arrangement, surely these nations would have sensed it and objected to it. No affirmative action can be taken in any essential matter without an unanimous vote of all members of the council of the league. No decision of the league, if America joined it, could be made effective or even promulgated without our censent. Like every other nation, we have a veto power upon every resolution or act of the league. We can be involved in no enterprise except of our own choosing, and if we are not satisfied with the league we can sever our connection with it upon two years' notice. The risk exists only in the imagination, the service is incalculable.

Moreover, the United States insisted that Cuba, Haiti, Liberia, Panama, Nicaragua, Honduras and Guatemala should each be given a vote, as well as the nations of South America, great and small. Including the nations which are bound by vital interests to the United States, or indeed, directly under our tutelage, we have more votes in the League of Nations than any other nation. How could we, in good faith, urge that these nations be given a voice and deny a voice to such self-governing nations as Canada, New Zealand and the rest, which relatively speaking, made far more sacrifices in the war than our own country? It is desirable that all countries should have an opportunity to be heard in the league; and the safety of each nation resides in the fact that no action can be taken without the consent of all.

It was the design of Senator Lodge, from the outset, to mutiliate the treaty and to frustrate the purposes of the administration. And yet Senator Lodge, with the help of the irreconcilables, having torn the treaty to tatters and thrown its fragments in the face of the world, has the effrontery to suggest, in his address at Chicago, that the president blocked ratification and postponed peace.

The trouble with the treaty of peace is that it was negotiated by a Democratic president. It is not difficult to assess the responsibility for

its defeat. The responsibility rests, not upon its friends, but its enemies.

The foreign relations committee, immediately following the last election, was reorganized with a personnel consisting of the open foes of the treaty. Among the number was Senator Borah, who declared that he would not be for a League of Nations were the Savior of mankind to advocate it. Senator Johnson, Senator Knox and Senator Moses, whose hatred of the president amounts to an obsession, were also members, and Senator Lodge was chairman.

The treaty was referred to the committee thus studiously prepared for its hostile reception. The members of this committee adopted every subterfuge to misrepresent the document which they were supposed to be considering as statesmen. Deputations of foreign-born citizens were brought to Washington in an effort to color and exaggerate the impression of popular opposition.

The senate had even begun the discussion of the treaty months before its negotiation was concluded, and did not terminate its debate until nine months after the submission of the treaty. It took the senate nearly three times as long to kill the treaty by protracted debate and by confusing and nullifying amendments and reservations as it took the representatives of the allied governments to draft it.

It was not the business of the president, when he brought this treaty back from France, to join with Mr. Lodge and other Republican leaders in their deliberate purpose to destroy it. Had he initiated, suggested or assented to changes which would have substantially altered its nature it would have been a distinct breach of faith with his associates of the peace council and a violation of American pledges. Everyone acquainted with diplomatic usages, or with the plain requirements of honesty, understand this. The foolish invention that the president refused to permit the dotting of an "i" or the crossing of a "t" has been so often repeated that many honest people believe in its truth.

In every speech made during his tour, the president stated entire willingness to accept any and all reservations not incompatible with America's honor and true interests. It is the plain intent of the covenant that the Monroe Doctrine is excluded, that domestic questions are exempted, that not one American can be sent out of the country without formal action by congress and that the right of withdrawal is absolute. If there are words which can make these meanings clearer, they will be welcomed. It is not reservations that the president stands against, but nullification.

When the president came back from Paris in February, 1919, he brought the first tentative draft of the covenant of the League of Nations. He gave publicity to it. It was published throughout the land.

He invited the friends of such a league to submit criticisms. Former President Taft offered four amendments, former Senator Root offered six amendments, and Mr. Hughes suggested seven. At a meeting of the committee on foreign relations at the White House in March, 1919, other changes were suggested. These amendments were taken back by the president to Paris and their substances were actually incorporated in the revised draft of the league. Dr. Lowell, president of Harvard university, in his joint debate with Senator Lodge invited the latter to suggest constructive amendments which the president might incorporate in the draft; but he refused to do so. At no time has he offered constructive amendments. At no time has he failed to offer destructive criticism. So intolerant was his attitude that he would not even consider a compromise proposed by former President Taft of his own party and which was assured of the support of forty Democratic senators. Senator Lodge knew that he controlled the senate and that in his own time and way he could destroy the treaty.

This is the sordid story of its defeat. No blacker crime against civilization has ever soiled the pages of our history. The last chapter was written at Chicago.

The Republican platform not only repudiates the League of Nations, but praises, without discrimination, all of the Republican senators who participated in its defeat. Its words of benediction fall alike upon the irreconcilables, the Lodge reservationists, the mild reservationists and those who proposed a separate peace with Germany. It is consistent in one thing only, the recognition of the fact that the open foes of the treaty, the secret foes of the treaty, and the apparent friends of the treaty, who conspired with its enemies, are equally responsible for the destruction of the instrument itself. It would be idle to inquire by what political legerdemain this meaningless and yet ominous declaration was prepared. It is enough to know that the "Old Guard" sold the honor of America for the privilege of nominating a reactionary for president.

The war had set a great task for statesmanship. The best thought of the world demanded that a serious attempt be made by the leaders of the allied governments to formulate a treaty of peace which should prevent the recurrence of war. Every rightful impulse of the human heart was in accord with that purpose. From time immemorial, men have dreamed of peace; poets have sung of it; philosophers have written about it; statesmen have discussed it; men everywhere have hoped and prayed that the day might come when wars would no longer be necessary in the settlement of international differences.

For the first time in the turbulent annals of the human race, such

a project had become feasible. The destruction of militarism, the crumbling of thrones, the dissolution of dynasties, the world-wide appreciation of the inner meaning of war and the final triumph of democracy had at last made it possible to realize the dearest dream that ever crossed the night of man's dark mind. The opportunity for service was as great as the need of the world the failure to render it must stand as a reproach for all time.

It is said that if the dead who died in the great war were placed head to feet, they would stretch from New York to San Francisco and from San Francisco back again to New York; and if those who perished from starvation and from other causes collateral to the war were placed head to feet, they would reach around the globe itself. At this very hour, millions of men and women and little children are the victims of our hesitancy. How can the heart of America be closed to these things?

I have been many miles in this country and it has been my fortune to visit most of the states of the union. It has so happened that I have been in many of these states when the boys were coming from the front. I have seen the great avenues of our splendid American cities lined with the populace, cheering and cheering again as these brave lads marched by, happy that they had come triumphantly home. But I have never witnessed these inspiring sights without thinking of the boys who did not come home. They do not rest as strangers in a strange land—these soldiers of liberty. The generous heart of France enfolds them. The women and the children of France cover their graves with flowers and water them with tears. Destiny seized these lads and led them far from home to die for an ideal. And yet they live and speak to us here in the homeland, not of trivial things but of immortal things. Reverence and piety and high resolves—surely these remain to us. In that heart of hearts where the great works of man are wrought, there can be no forgetting. Oh, God, release the imprisoned soul of America, touch once more the hidden springs of the spirit and reveal us to ourselves!

Let the true purpose of our party be clearly understood. We stand squarely for the same ideals of peace as those for which the war was fought. We support without flinching the only feasible plan for peace and justice. We will not submit to the repudiation of the peace treaty or to any process by which it is whittled down to the vanishing point. We decline to compromise our principles or pawn our immortal souls for selfish purposes. We do not turn our backs upon the history of the last three years. We seek no avenue of retreat. We insist that the forward course is the only righteous course.

We seek to reëstablish the fruits of victory, to reinstate the good

faith of our country, and to restore it to its rightful place among the nations of the earth. Our cause constitutes a summons to duty. The heart of America stirs again. The ancient faith revives. The immortal part of man speaks for us. The services of the past, the sacrifices of the war, the hopes of the future, constitute a spiritual force gathering about our banners. We shall release again the checked forces of civilization and America shall take up once more the leadership of the world.

CHAPTER IV

EULOGIES

§ 22

EULOGY ON GARFIELD

By James G. Blaine

(In the Hall of the House of Representatives, February 27, 1882.)

Mr. President: For the second time in this generation the great departments of the Government of the United States are assembled in the Hall of Representatives, to do honor to the memory of a murdered President. Lincoln fell at the close of a mighty struggle, in which the passions of men had been deeply stirred. The tragical termination of his great life added but another to the lengthened succession of horrors which had marked so many lintels with the blood of the firstborn. Garfield was slain in a day of peace, when brother had been reconciled to brother, and when anger and hate had been banished from the land.

"Whoever shall hereafter draw a portrait of murder, if he will show it as it has been exhibited where such example was last to have been looked for, let him not give it the grim visage of Moloch, the brow knitted by revenge, the face black with settled hate. Let him draw, rather, a decorous, smooth-faced, bloodless demon; not so much an example of human nature in its depravity and in its paroxysms of crime, as an infernal being, a fiend in the ordinary display and development of his character."

From the landing of the Pilgrims at Plymouth till the uprising against Charles I., about twenty thousand emigrants came from old England to New England. As they came in pursuit of intellectual freedom and ecclesiastical independence, rather than for worldly honor and profit, the

James G. Blaine. Born at Brownsville, Pa., January 31, 1830; died at Washington, D. C., January 27, 1893; graduated at Washington College in 1847; for some time editor of the Portland, Maine, *Adviser,* and the Kennebec, Maine, *Journal;* member of the Maine Legislature, 1859-1862; member of Congress, 1862-1876; speaker of the House of Representatives, 1869-1875; United States Senator from Maine, 1876; in 1880 Secretary of State in Garfield's Cabinet; in 1884 Republican nominee for President; defeated by Grover Cleveland.

emigration naturally ceased when the contest for religious liberty began in earnest at home. The man who struck his most effective blow for freedom of conscience, by sailing for the colonies in 1620, would have been accounted a deserter to leave after 1640. The opportunity had then come on the soil of England for that great contest which established the authority of Parliament, gave religious freedom to the people, sent Charles to the block, and committed to the hands of Oliver Cromwell the supreme executive authority of England. The English emigration was never renewed, and from these twenty thousand men, with a small emigration from Scotland and from France, are descended the vast numbers who have New England blood in their veins.

In 1685 the revocation of the Edict of Nantes by Louis XIV., scattered to other countries four hundred thousand Protestants, who were among the most intelligent and enterprising of French subjects—merchants of capital, skilled manufacturers, and handicraftsmen superior at the time to all others in Europe. A considerable number of these Huguenot French came to America; a few landed in New England and became honorably prominent in its history. Their names have in large part become Anglicized, or have disappeared, but their blood is traceable in many of the most reputable families and their fame is perpetuated in honorable memorials and useful institutions.

From these two sources, the English-Puritan and the French-Huguenot, came the late President—his father, Abram Garfield, being descended from the one, and his mother, Eliza Ballou, from the other.

It was good stock on both sides—none better, none braver, none truer. There was in it an inheritance of courage, of manliness, of imperishable love of liberty, of undying adherence to principle. Garfield was proud of his blood; and, with as much satisfaction as if he were a British nobleman reading his stately ancestral record in Burke's "Peerage," he spoke of himself as ninth in descent from those who would not endure the oppression of the Stuarts, and seventh in descent from the brave French Protestants who refused to submit to tyranny even from the Grand Monarque.

General Garfield delighted to dwell on these traits, and during his only visit to England he busied himself in discovering every trace of his forefathers in parish registers and on ancient army rolls. Sitting with a friend in the gallery of the House of Commons one night after a long day's labor in this field of research, he said with evident elation that in every war in which for three centuries patriots of English blood had struck sturdy blows for constitutional government and human liberty, his family had been represented. They were at Marston Moor, at Naseby, and at Preston; they were at Bunker Hill, at Saratoga, and

at Monmouth, and in his own person had battled for the same great cause in the war which preserved the Union of the States.

Losing his father before he was two years old, the early life of Garfield was one of privation, but its poverty has been made indelicately and unjustly prominent. Thousands of readers have imagined him as the ragged, starving child, whose reality too often greets the eye in the squalid sections of our large cities. General Garfield's infancy and youth had none of their destitution, none of their pitiful features appealing to the tender heart and to the open hand of charity. He was a poor boy in the same sense in which Henry Clay was a poor boy; in which Andrew Jackson was a poor boy; in which Daniel Webster was a poor boy; in the sense in which the large majority of the eminent men of America in all generations have been poor boys. Before a great multitude of men, in a public speech, Mr. Webster bore this testimony:—

"It did not happen to me to be born in a log cabin, but my elder brothers and sisters were born in a log cabin raised amid the snowdrifts of New Hampshire, at a period so early that when the smoke rose first from its rude chimney and curled over the frozen hills, there was no similar evidence of a white man's habitation between it and the settlements on the rivers of Canada. Its remains still exist. I make to it an annual visit. I carry my children to it to teach them the hardships endured by the generations which have gone before them. I love to dwell on the tender recollections, the kindred ties, the early affections, and the touching narratives and incidents which mingle with all I know of this primitive family abode."

With the requisite change of scene the same words would aptly portray the early days of Garfield. The poverty of the frontier, where all are engaged in a common struggle, and where a common sympathy and hearty coöperation lighten the burdens of each, is a very different poverty—different in kind, different in influence and effect—from that conscious and humiliating indigence which is every day forced to contrast itself with neighboring wealth on which it feels a sense of grinding dependence. The poverty of the frontier is, indeed, no poverty. It is but the beginning of wealth, and has the boundless possibilities of the future always opening before it. No man ever grew up in the agricultural regions of the West, where a house-raising, or even a corn-husking, is a matter of common interest and helpfulness, with any other feeling than that of broad-minded, generous independence. This honorable independence marked the youth of Garfield as it marks the youth of millions of the best blood and brain now training for future citizenship and future government of the the Republic. Garfield was

born heir to land, to the title of freeholder which has been the patent and passport of self-respect with Anglo-Saxon race ever since Hengist and Horsa landed on the shores of England. His adventure on the canal—an alternative between that and the deck of a Lake Erie schooner —was a farmer boy's device for earning money, just as the New England lad begins a possibly great career by sailing before the mast on a coasting vessel or on a merchantman bound to the Farther India or to the China seas.

No manly man feels anything of shame in looking back to early struggles with adverse circumstances, and no man feels a worthier pride than when he has conquered the obstacles to his progress. But no one of noble mold desires to be looked upon as having occupied a menial position, as having been repressed by a feeling of inferiority, or as having suffered the evils of poverty until relief was found at the hand of charity. General Garfield's youth presented no hardships which family love and family energy did not overcome, subjected him to no privations which he did not cheerfully accept, and left no memories save those which were recalled with delight, and transmitted with profit and with pride.

Garfield's early opportunities for securing an education were extremely limited, and yet were sufficient to develop in him an intense desire to learn. He could read at three years of age, and each winter he had the advantage of the district school. He read all the books to be found within the circle of his acquaintance; some of them he got by heart. While yet in childhood he was a constant student of the Bible, and became familiar with its literature. The dignity and earnestness of his speech in his maturer life gave evidence of his early training. At eighteen years of age he was able to teach school, and thenceforward his ambition was to obtain a college education. To this end he bent all his efforts, working in the harvest field, at the carpenter's bench, and in the winter season teaching the common schools of the neighborhood. While thus laboriously occupied he found time to prosecute his studies, and was so successful that at twenty-two years of age he was able to enter the junior class at Williams College, then under the presidency of the venerable and honored Mark Hopkins, who, in the fullness of his powers, survives the eminent pupil to whom he was of inestimable service.

The history of Garfield's life to this period presents no novel features. He had undoubtedly shown perseverance, self-reliance, self-sacrifice, and ambition—qualities which, be it said for the honor of our country, are everywhere to be found among the young men of America. But from his graduation at Williams onward, to the hour of his tragical

death, Garfield's career was eminent and exceptional. Slowly working through his educational period, receiving his diploma when twenty-four years of age, he seemed at one bound to spring into conspicuous and brilliant success. Within six years he was successively president of a college, State senator of Ohio, Major-General of the Army of the United States, and Representative-Elect to the national Congress. A combination of honors so varied, so elevated, within a period so brief and to a man so young, is without precedent or parallel in the history of the country.

Garfield's army life was begun with no other military knowledge than such as he had hastily gained from books in the few months preceding his march to the field. Stepping from civil life to the head of a regiment, the first order he received when ready to cross the Ohio was to assume command of a brigade, and to operate as an independent force in Eastern Kentucky. His immediate duty was to check the advance of Humphrey Marshall, who was marching down the Big Sandy with the intention of occupying in connection with other Confederate forces the entire territory of Kentucky, and of precipitating the State into secession. This was at the close of the year 1861. Seldom, if ever, has a young college professor been thrown into a more embarrassing and discouraging position. He knew just enough of military science, as he expressed it himself, to measure the extent of his ignorance, and with a handful of men he was marching, in rough winter weather, into a strange country, among a hostile population, to confront a largely superior force under the command of a distinguished graduate of West Point, who had seen active and important service in two preceding wars.

The result of the campaign is matter of history. The skill, the endurance, the extraordinary energy shown by Garfield, the courage imparted to his men, raw and untried as himself, the measures he adopted to increase his force and to create in the enemy's mind exaggerated estimates of his numbers, bore perfect fruit in the routing of Marshall, the capture of his camp, the dispersion of his force, and the emancipation of an important territory from the control of the rebellion. Coming at the close of a long series of disasters to the Union arms, Garfield's victory had an unusual and an extraneous importance, and in the popular judgment elevated the young commander to the rank of a military hero. With less than two thousand men in his entire command, with a mobilized force of only eleven hundred, without cannon, he had met an army of five thousand and defeated them, driving Marshall's forces successively from two strongholds of their own selection, fortified with abundant artillery. Major-General Buell, commanding the Department of the Ohio, an experienced and able soldier of the regu-

lar army, published an order of thanks and congratulation on the brilliant result of the Big Sandy campaign which would have turned the head of a less cool and sensible man than Garfield. Buell declared that his services had called into action the highest qualities of a soldier, and President Lincoln supplemented these words of praise by the more substantial reward of a brigadier-general's commission, to bear date from the day of his decisive victory over Marshall.

The subsequent military career of Garfield fully sustained its brilliant beginning. With his new commission he was assigned to the command of a brigade in the Army of the Ohio, and took part in the second decisive day's fight in the great battle of Shiloh. The remainder of the year 1862 was not especially eventful to Garfield, as it was not to the armies with which he was serving. His practical sense was called into exercise in completing the task assigned him by General Buell, of reconstructing bridges, and reëstablishing lines of railway communication for the army. His occupation in this useful but not brilliant field was varied by service on courts-martial of importance, in which department of duty he won a valuable reputation, attracting the notice and securing the approval of the able and eminent judge-advocate-general of the army. That of itself was a warrant to honorable fame; for among the great men who in those trying days gave themselves, with entire devotion, to the service of their country, one who brought to that service the ripest learning, the most fervid eloquence, the most varied attainments, who labored with modesty and shunned applause, who in the day of triumph sat reserved and silent and grateful—as Francis Deak in the hour of Hungary's deliverance—was Joseph Holt, of Kentucky, who in his honorable retirement enjoys the respect and veneration of all who love the Union of the States.

Early in 1863 Garfield was assigned to the highly important and responsible post of chief of staff to General Rosecrans, then at the head of the Army of the Cumberland. Perhaps in a great military campaign no subordinate officer requires sounder judgment and quicker knowledge of men than the chief of staff to the commanding general. An indiscreet man in such a position can sow more discord, breed more jealousy, and disseminate more strife than any other officer in the entire organization. When General Garfield assumed his new duties he found various troubles already well developed and seriously affecting the value and efficiency of the Army of the Cumberland. The energy, the impartiality, and the tact with which he sought to allay these dissensions, and to discharge the duties of his new and trying position, will always remain one of the most striking proofs of his great versatility. His military duties closed on the memorable field of Chicka-

mauga, a field which however disastrous to the Union arms gave to him the occasion of winning imperishable laurels. The very rare distinction was accorded him of great promotion for his bravery on a field that was lost. President Lincoln appointed him a major-general in the Army of the United States for gallant and meritorious conduct in the battle of Chickamauga.

The Army of the Cumberland was reorganized under the command of General Thomas, who promptly offered Garfield one of its divisions. He was extremely desirous to accept the position, but was embarrassed by the fact that he had, a year before, been elected to Congress, and the time when he must take his seat was drawing near. He preferred to remain in the military service, and had within his own breast the largest confidence of success in the wider field which his new rank opened to him. Balancing the arguments on the one side and the other, anxious to determine what was the best, desirous, above all things, to do his patriotic duty, he was decisively influenced by the advice of President Lincoln and Secretary Stanton, both of whom assured him that he could, at that time, be of especial value in the House of Representatives. He resigned his commission of major-general on the fifth day of December, 1863, and took his seat in the House of Representatives on the seventh. He had served two years and four months in the army, and had just completed his thirty-second year.

The Thirty-Eighth Congress is preëminently entitled in history to the designation of the War Congress. It was elected while the war was flagrant, and every Member was chosen upon the issues involved in the continuance of the struggle. The Thirty-Seventh Congress had, indeed, legislated to a large extent on war measures, but it was chosen before anyone believed that secession of the States would be actually attempted. The magnitude of the work which fell upon its successor was unprecedented, both in respect to the vast sums of money raised for the support of the army and navy, and of the new and extraordinary powers of legislation which it was forced to exercise. Only twenty-four States were represented, and one hundred and eight-two members were upon its roll. Among these were many distinguished party leaders on both sides, veterans in the public service with established reputations for ability and with that skill which comes only from parliamentary experience. Into this assemblage of men Garfield entered without special preparation, and it might almost be said unexpectedly. The question of taking command of a division of troops under General Thomas, or taking his seat in Congress, was kept open till the last moment; so late, indeed, that the resignation of his military commission and his appearance in the House were almost contemporaneous. He wore the

uniform of a major-general of the United States army on Saturday, and on Monday, in civilian's dress, he answered to the roll call as a Representative in Congress from the State of Ohio.

He was especially fortunate in the constituency which elected him. Descended almost entirely from New England stock, the men of the Ashtabula district were intensely radical on all questions relating to human rights. Well educated, thrifty, thoroughly intelligent in affairs, acutely discerning of character, not quick to bestow confidence, and slow to withdraw it, they were at once the most helpful and most exacting of supporters. Their tenacious trust in men in whom they have once confided is illustrated by the unparalleled fact that Elisha Whittlesey, Joshua R. Giddings, and James A. Garfield represented the district for fifty-four years.

There is no test of man's ability in any department of public life more severe than service in the House of Representatives; there is no place where so little deference is paid to reputation previously acquired or to eminence won outside; no place where so little consideration is shown for the feelings or failures of beginners. What a man gains in the House he gains by sheer force of his own character, and if he loses and falls back he must expect no mercy and will receive no sympathy. It is a field in which the survival of the strongest is the recognized rule and where no pretense can deceive and no glamour can mislead. The real man is discovered, his worth is impartially weighed, his rank is irreversibly decreed.

With possibly a single exception, Garfield was the youngest Member in the House when he entered, and was but seven years from his college graduation. But he had not been in his seat sixty days before his ability was recognized and his place conceded. He stepped to the front with the confidence of one who belonged there. The House was crowded with strong men of both parties; nineteen of them have since been transferred to the Senate, and many of them have served with distinction in the gubernatorial chairs of their respective States and on foreign missions of great consequence; but among them all none grew so rapidly, none so firmly, as Garfield. As is said by Trevelyan of his parliamentary hero, Garfield succeeded "because all the world in concert could not have kept him in the background, and because when once in the front he played his part with a prompt intrepidity and a commanding ease that were but the outward symptoms of the immense reserves of energy on which it was in his power to draw." Indeed, the apparently reserved force which Garfield possessed was one of his great characteristics. He never did so well but that it seemed he could easily have done better. He never expended so much strength but that he

seemed to be holding additional power to call. This is one of the happiest and rarest distinctions of an effective debater, and often counts for as much in persuading an assembly as the eloquent and elaborate argument.

The great measure of Garfield's fame was filled by his service in the House of Representatives. His military life, illustrated by honorable performance and rich in promise, was, as he himself felt, prematurely terminated and necessarily incomplete. Speculation as to what he might have done in the field, where the great prizes are so few, cannot be profitable. It is sufficient to say that as a soldier he did his duty bravely; he did it intelligently; he won an enviable fame, and he retired from the service without blot or breath against him. As a lawyer, though admirably equipped for the profession, he can scarcely be said to have entered on its practice. The few efforts that he made at the bar were distinguished by the same high order of talent which he exhibited on every field where he was put to test, and if a man may be accepted as a competent judge of his own capacities and adaptation, the law was the profession to which Garfield should have devoted himself. But fate ordained it otherwise, and his reputation in history will rest largely upon his service in the House of Representatives. That service was exceptionally long. He was nine times consecutively chosen to the House, an honor enjoyed by not more than six other Representatives of the more than five thousand who have been elected from the organization of the government to this hour.

As a parliamentary orator, as a debater on an issue squarely joined, where the position had been chosen and the ground laid out, Garfield must be assigned a very high rank. More, perhaps, than any man with whom he was associated in public life he gave careful and systematic study to public questions, and he came to every discussion in which he took part with elaborate and complete preparation. He was a steady and indefatigable worker. Those who imagine that talent or genius can supply the place or achieve the results of labor will find no encouragement in Garfield's life. In preliminary work he was apt, rapid, and skilful. He possessed in a high degree the power of readily absorbing ideas and facts, and, like Dr. Johnson, had the art of getting from a book all that was of value in it by a reading apparently so quick and cursory that it seemed like a mere glance at the table of contents. He was a preëminently fair and candid man in debate, took no petty advantage, stooped to no unworthy methods, avoided personal allusions, rarely appealed to prejudice, did not seek to inflame passion. He had a quicker eye for the strong point of his adversary than for his weak point, and on his own side he so marshaled his weighty arguments as

to make his hearers forget any possible lack in the complete strength of his position. He had a habit of stating his opponent's side with such amplitude of fairness and such liberality of concession that his followers often complained that he was giving his case away. But never in his prolonged participation in the proceedings of the House did he give his case away, or fail in the judgment of competent and impartial listeners to gain the mastery.

These characteristics, which marked Garfield as a great debater, did not, however, make him a great parliamentary leader. A parliamentary leader, as that term is understood wherever free representative government exists, is necessarily and very strictly the organ of his party. An ardent American defined the instinctive warmth of patriotism when he offered the toast, "Our country always right; but, right or wrong, our country." The parliamentary leader who has a body of followers that will do and dare and die for the cause is one who believes his party always right, but, right or wrong, is for his party. No more important or exacting duty devolves upon him than the selection of the field and the time of the contest. He must know not merely how to strike, but where to strike and when to strike. He often skilfully avoids the strength of his opponent's position and scatters confusion in his ranks by attacking an exposed point, when really the righteousness of the cause and the strength of logical intrenchment are against him. He conquers often both against the right and the heavy battalions; as when young Charles Fox, in the days of his Toryism, carried the House of Commons against justice, against immemorial rights, against his own convictions,—if, indeed, at that period Fox had convictions,—and in the interest of a corrupt administration, in obedience to a tyrannical sovereign, drove Wilkes from the seat to which the electors of Middlesex had chosen him and installed Luttrell in defiance, not merely of law, but of public decency. For an achievement of that kind Garfield was disqualified—disqualified by the texture of his mind, by the honesty of his heart, by his conscience, and by every instinct and aspiration of his nature.

The three most distinguished parliamentary leaders hitherto developed in this country are Mr. Clay, Mr. Douglas, and Mr. Thaddeus Stevens. Each was a man of consummate ability, of great earnestness, of intense personality, differing widely each from the others, and yet with a signal trait in common—the power to command. In the "give and take" of daily discussion; in the art of controlling and consolidating reluctant and refractory followers; in the skill to overcome all forms of opposition, and to meet with competency and courage the varying phases of unlooked-for assault or unsuspected defection, it would be

difficult to rank with these a fourth name in all our Congressional history. But of these Mr. Clay was the greatest. It would, perhaps, be impossible to find in the parliamentary annals of the world a parallel to Mr. Clay, in 1841, when at sixty-four years of age he took the control of the Whig party from the President who had received their suffrages, against the power of Webster in the Cabinet, against the eloquence of Choate in the Senate, against the herculean efforts of Caleb Cushing and Henry A. Wise in the House. In unshared leadership, in the pride and plentitude of power he hurled against John Tyler with deepest scorn the mass of that conquering column which had swept over the land in 1840, and drove his administration to seek shelter behind the lines of his political foes. Mr. Douglas achieved a victory scarcely less wonderful when, in 1854, against the secret desires of a strong administration, against the wise counsel of the older chiefs, against the conservative instincts and even the moral sense of the country, he forced a reluctant Congress into a repeal of the Missouri Compromise. Mr. Thaddeus Stevens, in his contests from 1865 to 1868, actually advanced his parliamentary leadership until Congress tied the hands of the President and governed the country by its own will, leaving only perfunctory duties to be discharged by the Executive. With two hundred millions of patronage in his hands at the opening of the contest, aided by the active force of Seward in the Cabinet, and the moral power of Chase on the Bench, Andrew Johnson could not command the support of one-third in either house against the parliamentary uprising of which Thaddeus Stevens was the animating spirit and the unquestioned leader.

From these three great men Garfield differed radically; differed in the quality of his mind, in temperament, in the form and phase of ambition. He could not do what they did, but he could do what they could not, and in the breadth of his Congressional work he left that which will longer exert a potential influence among men, and which, measured by the severe test of posthumous criticism, will secure a more enduring and more enviable fame.

Those unfamiliar with Garfield's industry, and ignorant of the details of his work, may in some degree measure them by the annals of Congress. No one of the generation of public men to which he belonged has contributed so much that will be valuable for future reference. His speeches are numerous, many of them brilliant, all of them well studied, carefully phrased, and exhaustive of the subject under consideration. Collected from the scattered pages of ninety royal octavo volumes of the "Congressional Record," they would present an invaluable compendium of the political history of the most important era through which th

national government has ever passed. When the history of this period shall be impartially written, when war legislation, measures of reconstruction, protection of human rights, amendments to the Constitution, maintenance of public credit, steps toward specie resumption, true theories of revenue may be reviewed, unsurrounded by prejudice and disconnected from partizanism, the speeches of Garfield will be estimated at their true value and will be found to comprise a vast magazine of fact and argument, of clear analysis and sound conclusion. Indeed, if no other authority were accessible, his speeches in the House of Representatives, from December, 1863, to June, 1880, would give a well connected history and complete defense of the important legislation of the seventeen eventful years that constitute his parliamentary life. Far beyond that, his speeches would be found to forecast many great measures yet to be completed—measures which he knew were beyond the public opinion of the hour, but which he confidently believed would secure popular approval within the period of his own lifetime, and by the aid of his own efforts.

Differing, as Garfield does, from the brilliant parliamentary leaders, it is not easy to find his counterpart anywhere in the record of American public life. He perhaps more nearly resembles Mr. Seward in his supreme faith in the all-conquering power of a principle. He had the love of learning and the patient industry of investigation to which John Quincy Adams owes his prominence and his presidency. He had some of those ponderous elements of mind which distinguished Mr. Webster, and which indeed, in all our public life, have left the great Massachusetts Senator without an intellectual peer.

In English parliamentary history, as in our own, the leaders in the House of Commons present points of essential difference from Garfield. But some of his methods recall the best features in the strong, independent course of Sir Robert Peel, and striking resemblances are discernible in that most promising of modern conservatives, who died too early for his country and his fame, the Lord George Bentinck. He had all of Burke's love for the sublime and the beautiful, with, possibly, something of his superabundance, and in his faith and his magnanimity, in his power of statement, in his subtle analysis, in his faultless logic, in his love of literature, in his wealth and world of illustration, one is reminded of that great English statesman of to-day, who, confronted with obstacles that would daunt any but the dauntless, reviled by those whom he would relieve as bitterly as by those whose supposed rights he is forced to invade, still labors with serene courage for the amelioration of Ireland and for the honor of the English name.

Garfield's nomination to the presidency, while not predicted or an-

ticipated, was not a surprise to the country. His prominence in Congress, his solid qualities, his wide reputation, strengthened by his then recent election as Senator from Ohio, kept him in the public eye as a man occupying the very highest rank among those entitled to be called statesmen. It was not mere chance that brought him this high honor. "We must," says Mr. Emerson, "reckon success a constitutional trait. If Eric is in robust health, and has slept well and is at the top of his condition, and thirty years old at his departure from Greenland, he will steer west and his ships will reach Newfoundland. But take Eric out and put in a stronger and bolder man and the ships will sail six hundred, one thousand, fifteen hundred miles farther and reach Labrador and New England. There is no chance in results."

As a candidate Garfield steadily grew in public favor. He was met with a storm of detraction at the very hour of his nomination, and it continued with increasing volume and momentum until the close of his victorious campaign:—

> "No might nor greatness in mortality
> Can censure 'scape; backwounding calumny
> The whitest virtue strikes. What king so strong
> Can tie the gall up in the slanderous tongue?"

Under it all he was calm, strong, and confident; never lost his self-possession, did no unwise act, spoke no hasty or ill-considered word. Indeed, nothing in his whole life is more remarkable or more creditable than his bearing through those five full months of vituperation—a prolonged agony of trial to a sensitive man, a constant and cruel draft upon the powers of moral endurance. The great mass of these unjust imputations passed unnoticed, and, with the general *débris* of the campaign, fell into oblivion. But in a few instances the iron entered his soul and he died with the injury unforgotten if not unforgiven.

One aspect of Garfield's candidacy was unprecedented. Never before in the history of partizan contests in this country had a successful presidential candidate spoken freely on passing events and current issues. To attempt anything of the kind seemed novel, rash, and even desperate. The older class of voters recalled the unfortunate Alabama letter, in which Mr. Clay was supposed to have signed his political death warrant. They remembered also the hot-tempered effusion by which General Scott lost a large share of his popularity before his nomination, and the unfortunate speeches which rapidly consumed the remainder. The younger voters had seen Mr. Greeley in a series of vigorous and original addresses preparing the pathway for his own defeat. Unmindful of these warnings, unheeding the advice of friends,

Garfield spoke to large crowds as he journeyed to and from New York in August, to a great multitude in that city, to delegations and to deputations of every kind that called at Mentor during the summer and autumn. With innumerable critics, watchful and eager to catch a phrase that might be turned into odium or ridicule, or a sentence that might be distorted to his own or his party's injury, Garfield did not trip or halt in any one of his seventy speeches. This seems all the more remarkable when it is remembered that he did not write what he said, and yet spoke with such logical consecutiveness of thought and such admirable precision of phrase as to defy the accident of misreport and the malignity of misrepresentation.

In the beginning of his presidential life Garfield's experience did not yield him pleasure or satisfaction. The duties that engross so large a portion of the President's time were distasteful to him, and were unfavorably contrasted with his legislative work. "I have been dealing all these years with ideas," he impatiently exclaimed one day, "and here I am dealing only with persons. I have been heretofore treating of the fundamental principles of government, and here I am considering all day whether A or B shall be appointed to this or that office." He was earnestly seeking some practical way of correcting the evils arising from the distribution of overgrown and unwieldy patronage—evils always appreciated and often discussed by him, but whose magnitude had been more deeply impressed upon his mind since his accession to the presidency. Had he lived, a comprehensive improvement in the mode of appointment and in the tenure of office would have been proposed by him, and, with the aid of Congress, no doubt perfected.

But, while many of the executive duties were not grateful to him, he was assiduous and conscientious in their discharge. From the very outset he exhibited administrative talent of a high order. He grasped the helm of office with the hand of a master. In this respect, indeed, he constantly surprised many who were most intimately associated with him in the government, and especially those who had feared that he might be lacking in the executive faculty. His disposition of business was orderly and rapid. His power of analysis and his skill in classification enabled him to dispatch a vast mass of detail with singular promptness and ease. His cabinet meetings were admirably conducted. His clear presentation of official subjects, his well-considered suggestion of topics on which discussion was invited, his quick decision when all had been heard, combined to show a thoroughness of mental training as rare as his natural ability and his facile adaptation to a new and enlarged field of labor.

With perfect comprehension of all the inheritances of the war, with

a cool calculation of the obstacles in his way, impelled always by a generous enthusiasm, Garfield conceived that much might be done by his administration towards restoring harmony between the different sections of the Union. He was anxious to go South and speak to the people. As early as April he had ineffectually endeavored to arrange for a trip to Nashville, whither he had been cordially invited, and he was again disappointed a few weeks later to find that he could not go to South Carolina to attend the centennial celebration of the victory of the Cowpens. But for the autumn he definitely counted on being present at the three memorable assemblies in the South, the celebration at Yorktown, the opening of the Cotton Exposition at Atlanta, and the meeting of the Army of the Cumberland at Chattanooga. He was already turning over in his mind his address for each occasion, and the three taken together, he said to a friend, gave him the exact scope and verge which he needed. At Yorktown he would have before him the association of a hundred years that bound the South and the North in the sacred memory of a common danger and a common victory. At Atlanta he would present the material interests and the industrial development which appealed to the thrift and independence of every household, and which should unite the two sections by the instinct of self-interest and self-defense. At Chattanooga he would revive memories of the war only to show that after all its disaster and all its suffering the country was stronger and greater, the Union rendered indissoluble, and the future, through the agony and blood of one generation, made brighter and better for all.

Garfield's ambition for the success of his administration was high. With strong caution and conservatism in his nature, he was in no danger of attempting rash experiments or of resorting to the empiricism of statesmanship. But he believed that renewed and closer attention should be given to questions affecting the material interests and commercial prospects of fifty millions of people. He believed that our continental relations, extensive and undeveloped as they are, involved responsibility and could be cultivated into profitable friendship or be abandoned to harmful indifference or lasting enmity. He believed with equal confidence that an essential forerunner to a new era of national progress must be a feeling of contentment in every section of the Union and a generous belief that the benefits and burdens of government would be common to all. Himself a conspicuous illustration of what ability and ambition may do under republican institutions, he loved his country with a passion of patriotic devotion, and every waking thought was given to her advancement. He was an American in all his aspirations, and he looked to the destiny and influence of the United States with

the philosophic composure of Jefferson and the demonstrative confidence of John Adams.

The political events which disturbed the President's serenity for many weeks before that fatal day in July, form an important chapter in his career, and, in his own judgment, involved questions of principle and right which are vitally essential to the constitutional administration of the Federal Government. It would be out of place here and now to speak the language of controversy, but the events referred to, however they may continue to be a source of contention with others, have become, as far as Garfield is concerned, as much a matter of history as his heroism at Chickamauga or his illustrious service in the House. Detail is not needful, and personal antagonism shall not be rekindled by any word uttered to-day. The motives of those opposing him are not to be here adversely interpreted nor their course harshly characterized. But of the dead President this is to be said, and said because his own speech is forever silenced and he can be no more heard except through the fidelity and the love of surviving friends. From the beginning to the end of the controversy he so much deplored, the President was never for one moment actuated by any motive of gain to himself or of loss to others. Least of all men did he harbor revenge, rarely did he even show resentment, and malice was not in his nature. He was congenially employed only in the exchange of good offices and the doing of kindly deeds.

There was not an hour, from the beginning of the trouble till the fatal shot entered his body, when the President would not gladly, for the sake of restoring harmony, have retracted any step he had taken if such retracting had merely involved consequences personal to himself. The pride of consistency, or any supposed sense of humiliation that might result from surrendering his position, had not a feather's weight with him. No man was ever less subject to such influences from within or from without. But after the most anxious deliberation and the coolest survey of all the circumstances, he solemnly believed that the true prerogatives of the Executive were involved in the issue which had been raised and that he would be unfaithful to his supreme obligation if he failed to maintain, in all their vigor, the constitutional rights and dignities of his great office. He believed this in all the convictions of conscience when in sound and vigorous health, and he believed it in his suffering and prostration in the last conscious thought which his wearied mind bestowed on the transitory struggles of life.

More than this need not be said. Less than this could not be said. Justice to the dead, the highest obligation that devolves upon the living, demands the declaration that in all the bearings of the subject, actual

or possible, the President was content in his mind, justified in his conscience, immovable in his conclusions.

The religious element in Garfield's character was deep and earnest. In his early youth he espoused the faith of the Disciples, a sect of that great Baptist Communion which in different ecclesiastical establishments is so numerous and so influential throughout all parts of the United States. But the broadening tendency of his mind and his active spirit of inquiry were early apparent, and carried him beyond the dogmas of sect and the restraints of association. In selecting a college in which to continue his education he rejected Bethany, though presided over by Alexander Campbell, the greatest preacher of his church. His reasons were characteristic: First, that Bethany leaned too heavily toward slavery; and, second, that being himself a Disciple, and the son of Disciple parents, he had little acquaintance with people of other beliefs, and he thought it would make him more liberal, quoting his own words, both in his religious and general views, to go into a new circle and be under new influences.

The liberal tendency which he had anticipated as the result of wider culture was fully realized. He was emancipated from mere sectarian belief, and with eager interest pushed his investigations in the direction of modern progressive thought. He followed with quickening steps in the paths of exploration and speculation so fearlessly trodden by Darwin, by Huxley, by Tyndall, and by other living scientists of the radical and advanced type. His own church, binding its disciples by no formulated creed, but accepting the Old and New Testaments as the word of God, with unbiased liberality of private interpretation, favored, if it did not stimulate, the spirit of investigation. Its members profess with sincerity, and profess only, to be of one mind and one faith with those who immediately followed the Master and who were first called Christians at Antioch.

But however high Garfield reasoned of "fixed fate, freewill, foreknowledge absolute," he was never separated from the Church of the Disciples in his affections and in his associations. For him it held the Ark of the Covenant. To him it was the gate of heaven. The world of religious belief is full of solecisms and contradictions. A philosophic observer declares that men by the thousand will die in defense of a creed whose doctrines they do not comprehend and whose tenets they habitually violate. It is equally true that men by the thousand will cling to church organizations with instinctive and undenying fidelity when their belief in maturer years is radically different from that which inspired them as neophytes.

But after this range of speculation and this latitude of doubt, Gar-

field came back always with freshness and delight to the simpler instincts of religious faith, which, earliest implanted, longest survive. Not many weeks before his assassination, walking on the banks of the Potomac with a friend, and conversing on those topics of personal religion concerning which noble natures have unconquerable reserve, he said that he found the Lord's Prayer and the simple petitions learned in infancy infinitely restful to him, not merely in their stated repetition, but in their casual and frequent recall as he went about the daily duties of life. Certain texts of Scripture had a very strong hold on his memory and his heart. He heard, while in Edinburgh some years ago, an eminent Scotch preacher, who prefaced his sermon with reading the eighth chapter of the Epistle to the Romans, which book had been the subject of careful study with Garfield during his religious life. He was greatly impressed by the elocution of the preacher and declared that it had imparted a new and deeper meaning to the majestic utterances of Saint Paul. He referred often in after years to that memorable service, and dwelt with exaltation of feeling upon the radiant promise and the assured hope with which the great Apostle of the Gentiles was "persuaded that neither death, nor life, nor principalities, nor powers, nor things present, nor things to come, nor height, nor depth, nor any other creature, shall be able to separate us from the love of God, which is in Christ Jesus our Lord."

The crowning characteristic of Garfield's religious opinions, as, indeed, of all his opinions, was his liberality. In all things he had charity. Tolerance was of his nature. He respected in others the qualities which he possessed himself—sincerity of conviction and frankness of expression. With him inquiry was not so much what a man believes, but Does he believe it? The lines of his friendship and his confidence encircled men of every creed and men of no creed, and, to the end of his life, on his ever lengthening list of friends were to be found the names of a pious Catholic priest and of an honest-minded and generous-hearted free-thinker.

On the morning of Saturday, July 2d, the President was a contented and happy man—not in an ordinary degree, but joyfully, almost boyishly, happy. On his way to the railroad station, to which he drove slowly, in conscious enjoyment of the beautiful morning, with an unwonted sense of leisure and a keen anticipation of pleasure, his talk was all in the grateful and gratulatory vein. He felt that, after four months of trial, his administration was strong in his grasp of affairs, strong in popular favor, and destined to grow stronger; that grave difficulties confronting him at his inauguration had been safely passed; that troubles lay behind him, and not before him; that he was soon to

meet the wife whom he loved, now recovering from an illness which had but lately disquieted and at times almost unnerved him; that he was going to his Alma Mater to renew the most cherished associations of his young manhood, and to exchange greetings with those whose deepening interest had followed every step of his upward progress, from the day he entered upon his college course until he had attained the loftiest elevation in the gift of his countrymen.

Surely, if happiness can ever come from the honors or triumphs of this world, on that quiet July morning James A. Garfield may well have been a happy man. No foreboding of evil haunted him; no slightest premonition of danger clouded his sky. His terrible fate was upon him in an instant. One moment he stood erect, strong, confident in the years stretching peacefully out before him. The next he lay wounded, bleeding, helpless, doomed to weary weeks of torture, to silence and the grave.

Great in life, he was surpassingly great in death. For no cause, in the very frenzy of wantonness and wickedness, by the red hand of murder, he was thrust from the full tide of this world's interest, from its hopes, its aspirations, its victories, into the visible presence of death —and he did not quail. Not alone for one short moment in which, stunned and dazed, he could give up life, hardly aware of its relinquishment, but through days of deadly languor, through weeks of agony, that was not less agony because silently borne, with clear sight and calm courage he looked into his open grave. What blight and ruin met his anguished eyes, whose lips may tell—what brilliant, broken plans, what baffled, high ambitions, what sundering of strong, warm, manhood's friendship, what bitter rending of sweet household ties! Behind him a proud, expectant nation, a great host of sustaining friends, a cherished and happy mother, wearing the full, rich honors of her early toil and tears; the wife of his youth, whose whole life lay in his; the little boys not yet emerged from childhood's day of frolic; the fair, young daughter; the sturdy sons just springing into closest companionship, claiming every day and every day rewarding a father's love and care; and in his heart the eager, rejoicing power to meet all demands. And his soul was not shaken. His countrymen were thrilled with instant, profound, and universal sympathy. Masterful in his mortal weakness, he became the center of a nation's love, enshrined in the prayers of a world. But all the love and all the sympathy could not share with him his suffering. He trod the wine press alone. With unfaltering front he faced death. With unfailing tenderness he took leave of life. Above the demoniac hiss of the assassin's bullet he heard the voice of God. With simple resignation he bowed to the Divine decree.

As the end drew near his early craving for the sea returned. The stately mansion of power had been to him the wearisome hospital of pain, and he begged to be taken from his prison walls, from its oppressive, stifling air, from its homelessness and its hopelessness. Gently, silently, the love of a great people bore the pale sufferer to the longed-for healing of the sea, to live or to die, as God should will, within sight of the heaving billows, within sound of its manifold voices. With a wan, fevered face, tenderly lifted to the cooling breeze, he looked out wistfully upon the ocean's changing wonders; on its far sails; on its restless waves, rolling shoreward to break and die beneath the noonday sun; on the red clouds of evening, arching low to the horizon; on the serene and shining pathway of the stars. Let us think that his dying eyes read a mystic meaning which only the rapt and parting soul may know. Let us believe that in the silence of the receding world he heard the great waves breaking on a farther shore and felt already upon his wasted brow the breath of the eternal morning.

§ 23

EULOGY ON McKINLEY

By John Hay

(Delivered at the joint memorial session of the United States Senate and the House of Representatives, February 27, 1902.)

For the third time the Congress of the United States are assembled to commemorate the life and the death of a President slain by the hand of an assassin. The attention of the future historian will be attracted to the features which reappear with startling sameness in all three of these awful crimes: the uselessness, the utter lack of consequence of the act; the obscurity, the insignificance of the criminal; the blamelessness—so far as in our sphere of existence the best of men may be held blameless—of the victim. Not one of our murdered Presidents had an enemy in the world; they were all of such preëminent purity of life that no pretext could be given for the attack of passional crime; they were all men of democratic instincts, who could never have offended the most jealous advocates of equality; they were of kindly and generous nature, to whom wrong or injustice was impossible; of moderate for-

John Hay. Born at Salem, Va., October 8, 1838; graduated at Brown University in 1858; was private secretary to President Lincoln; First Assistant Secretary of State, 1879-1881; United States Ambassador to England, 1892-1898; Secretary of State, 1898-1905; died at Newburg, N. H., July 1, 1905.

tune, whose slender means nobody could envy. They were men of austere virtue, of tender heart, of eminent abilities, which they had devoted with single minds to the good of the Republic. If ever men walked before God and man without blame, it was these three rulers of our people. The only temptation to attack their lives offered was their gentle radiance—to eyes hating the light that was offense enough.

The stupid uselessness of such an infamy affronts the common sense of the world. One can conceive how the death of a dictator may change the political conditions of an Empire; how the extinction of a narrowing line of kings may bring in an alien dynasty. But in a well-ordered Republic like ours, the ruler may fall, but the State feels no tremor. Our beloved and revered leader is gone—but the natural process of our laws provides us a successor, identical in purpose and ideals, nourished by the same teachings, inspired by the same principles, pledged by tender affection as well as by high loyalty to carry to completion the immense task committed to his hands, and to smite with iron severity every manifestation of that hideous crime which his mild predecessor, with his dying breath, forgave. The sayings of celestial wisdom have no date; the words that reach us, over two thousand years, out of the darkest hour of gloom the world has ever known, are true to life to-day: "They know not what they do." The blow struck at our dear friend and ruler was as deadly as blind hate could make it; but the blow struck at anarchy was deadlier still.

What a world of insoluble problems such an event excites in the mind! Not merely in its personal, but in its public aspects, it presents a paradox not to be comprehended. Under a system of government so free and so impartial that we recognize its existence only by its benefactions; under a social order so purely democratic that classes cannot exist in it, affording opportunities so universal that even conditions are as changing as the winds, where the laborer of to-day is the capitalist of to-morrow; under laws which are the result of ages of evolution, so uniform and so beneficent that the President has just the same rights and privileges as the artisan; we see the same hellish growth of hatred and murder which dogs equally the footsteps of benevolent monarchs and blood-stained despots. How many countries can join with us in the community of a kindred sorrow! I will not speak of those distant regions where assassination enters into the daily life of government. But among the nations bound to us by the ties of familiar intercourse —who can forget that wise and mild Autocrat who had earned the proud title of the Liberator? that enlightened and magnanimous citizen whom France still mourns? that brave and chivalrous King of Italy who only lived for his people? and, saddest of all, that lovely and sorrowing

Empress, whose harmless life could hardly have excited the animosity of a demon. Against that devilish spirit nothing avails—neither virtue nor patriotism, nor age nor youth, nor conscience nor pity. We cannot even say that education is a sufficient safeguard against this baleful evil—for most of the wretches whose crimes have so shocked humanity in recent years were men not unlettered, who have gone from the common schools, through murder to the scaffold.

Our minds cannot discern the origin nor conceive the extent of wickedness so perverse and so cruel; but this does not exempt us from the duty of trying to control and counteract it. We do not understand what electricity is; whence it comes or what its hidden properties may be. But we know it as a mighty force for good or evil—and so with the painful toil of years men of learning and skill have labored to store and to subjugate it, to neutralize, and even to employ its destructive energies. This problem of anarchy is dark and intricate, but it ought to be within the compass of democratic government—although no sane mind can fathom the mysteries of these untracked and orbitless natures—to guard against their aberrations, to take away from them the hope of escape, the long luxury of scandalous days in court, the unwholesome sympathy of hysterical degenerates, and so by degrees to make the crime not worth committing, even to these abnormal and distorted souls.

It would be presumptuous for me in this presence to suggest the details of remedial legislation for a malady so malignant. That task may safely be left to the skill and patience of the National Congress, which has never been found unequal to any such emergency. The country believes that the memory of three murdered comrades of yours—all of whose voices still haunt these walls—will be a sufficient inspiration to enable you to solve even this abstruse and painful problem, which has dimmed so many pages of history with blood and with tears.

Before an audience less sympathetic than this, I should not dare to speak of that great career which we have met to commemorate. But we are all his friends, and friends do not criticize each other's words about an open grave. I thank you for the honor you have done me in inviting me here, and not less for the kind forbearance I know I shall have from you in my most inadequate efforts to speak of him worthily.

The life of William McKinley was, from his birth to his death, typically American. There is no environment, I should say, anywhere else in the world which could produce just such a character. He was born into that way of life which elsewhere is called the middle class, but which in this country is so nearly universal as to make of other classes an almost negligible quantity. He was neither rich nor poor, neither proud nor humble; he knew no hunger he was not sure of satisfying,

no luxury which could enervate mind or body. His parents were sober, God-fearing people; intelligent and upright, without pretension and without humility. He grew up in the company of boys like himself, wholesome, honest, self-respecting. They looked down on nobody; they never felt it possible they could be looked down upon. Their houses were the homes of probity, piety, patriotism. They learned in the admirable school readers of fifty years ago the lessons of heroic and splendid life which have come down from the past. They read in their weekly newspapers the story of the world's progress, in which they were eager to take part, and of the sins and wrongs of civilization with which they burned to do battle. It was a serious and thoughtful time. The boys of that day felt dimly, but deeply, that days of sharp struggle and high achievement were before them. They looked at life with the wondering yet resolute eyes of a young esquire in his vigil of arms. They felt a time was coming when to them should be addressed the stern admonition of the Apostle, "Quit you like men; be strong."

It is not easy to give to those of a later generation any clear idea of that extraordinary spiritual awakening which passed over the country at the first red signal fires of the war between the States. It was not our earliest apocalypse; a hundred years before the nation had been revealed to itself, when after long discussion and much searching of heart the people of the colonies had resolved, that to live without liberty was worse than to die, and had therefore wagered in the solemn game of war "their lives, their fortunes, and their sacred honor." In a stress of heat and labor unutterable, the country had been hammered and welded together; but thereafter for nearly a century there had been nothing in our life to touch the innermost fountain of feeling and devotion; we had had rumors of wars—even wars we had had, not without sacrifices and glory—but nothing which went to the vital self-consciousness of the country, nothing which challenged the nation's right to live. But in 1860 the nation was going down into the Valley of Decision. The question which had been debated on thousands of platforms, which had been discussed in countless publications, which, thundered from innumerable pulpits, had caused in their congregations the bitter strife and dissension to which only cases of conscience can give rise, was everywhere pressing for solution. And not merely in the various channels of publicity was it alive and clamorous. About every fireside in the land, in the conversation of friends and neighbors, and deeper still, in the secret of millions of human hearts, the battle of opinion was waging; and all men felt and saw—with more or less clearness—that an answer to the importunate question: Shall the nation live? was due, and not to be denied. And I do not mean that in the North alone there was this

austere wrestling with conscience. In the South as well, below all the effervescence and excitement of a people perhaps more given to eloquent speech than we were, there was the profound agony of question and answer, the summons to decide whether honor and freedom did not call them to revolution and war. It is easy for partizanship to say that the one side was right and that the other was wrong. It is still easier for an indolent magnanimity to say that both were right. Perhaps in the wide view of ethics one is always right to follow his conscience, though it lead him to disaster and death. But history is inexorable. She takes no account of sentiment and intention; and in her cold and luminous eyes that side is right which fights in harmony with the stars in their courses. The men are right through whose efforts and struggles the world is helped onward, and humanity moves to a higher level and a brighter day.

The men who are living to-day and who were young in 1860 will never forget the glory and glamor that filled the earth and the sky when the long twilight of doubt and uncertainty was ending and the time for action had come. A speech by Abraham Lincoln was an event not only of high moral significance, but of far-reaching importance; the drilling of a militia company by Ellsworth attracted national attention; the fluttering of the flag in the clear sky drew tears from the eyes of young men. Patriotism, which had been a rhetorical expression, became a passionate emotion, in which instinct, logic and feeling were fused. The country was worth saving; it could be saved only by fire; no sacrifice was too great; the young men of the country were ready for the sacrifice; come weal, come woe, they were ready.

At 17 years of age William McKinley heard this summons of his country. He was the sort of youth to whom a military life in ordinary times would possess no attractions. His nature was far different from that of the ordinary soldier. He had other dreams of life, its prizes and pleasures, than that of marches and battles. But to his mind there was no choice or question. The banner floating in the morning breeze was the beckoning gesture of his country. The thrilling notes of the trumpet called *him*—him and none other—into the ranks. His portrait in his first uniform is familiar to you all—the short, stocky figure; the quiet thoughtful face; the deep, dark eyes. It is the face of a lad who could not stay at home when he thought he was needed in the field. He was of the stuff of which good soldiers are made. Had he been ten years older he would have entered at the head of a company and come out at the head of a division. But he did what he could. He enlisted as a private; he learned to obey. His serious, sensible ways, his prompt, alert efficiency soon attracted the attention of his superiors. He was

so faithful in little things that they gave him more and more to do. He was untiring in camp and on the march; swift, cool and fearless in fight. He left the Army with field rank when the war ended, brevetted by President Lincoln for gallantry in battle.

In coming years, when men seek to draw the moral of our great Civil War, nothing will seem to them so admirable in all the history of our two magnificent armies as the way in which the war came to a close. When the Confederate army saw the time had come, they acknowledged the pitiless logic of facts and ceased fighting. When the army of the Union saw it was no longer needed, without a murmur or question, making no terms, asking no return, in the flush of victory and fullness of might, it laid down its arms and melted back into the mass of peaceful citizens. There is no event since the nation was born which has so proved its solid capacity for self-government. Both sections share equally in that crown of glory. They had held a debate of incomparable importance and had fought it out with equal energy. A conclusion had been reached—and it is to the everlasting honor of both sides that they each knew when the war was over and the hour of a lasting peace had struck. We may admire the desperate daring of others who prefer annihilation to compromise, but the palm of common sense, and, I will say, of enlightened patriotism, belongs to the men like Grant and Lee, who knew when they had fought enough, for honor and for country.

William McKinley, one of that sensible million of men, gladly laid down his sword and betook himself to his books. He quickly made up the time lost in soldiering. He attacked his Blackstone as he would have done a hostile intrenchment; finding the range of a country law library too narrow, he went to the Albany Law School, where he worked energetically with brilliant success; was admitted to the bar and settled down to practice—a brevetted veteran of 24—in the quiet town of Canton, now and henceforth forever famous as the scene of his life and his place of sepulture. Here many blessings awaited him: high repute, professional success, and a domestic affection so pure, so devoted and stainless that future poets, seeking an ideal of Christian marriage, will find in it a theme worthy of their songs. This is a subject to which the lightest allusion seems profanation; but it is impossible to speak of William McKinley without remembering that no truer, tenderer knight to his chosen lady ever lived among mortal men. If to the spirits of the just made perfect is permitted the consciousness of earthly things, we may be sure that his faithful soul is now watching over that gentle sufferer who counts the long hours in their shattered home in the desolate splendor of his fame.

A man possessing the qualities with which nature had endowed Mc-

Kinley seeks political activity as naturally as a growing plant seeks light and air. A wholesome ambition; a rare power of making friends and keeping them; a faith, which may be called religious, in his country and its institutions; and, flowing from this, a belief that a man could do no nobler work than to serve such a country—these were the elements in his character that drew him irresistibly into public life. He had from the beginning a remarkable equipment; a manner of singular grace and charm; a voice of ringing quality and great carrying power—vast as were the crowds that gathered about him, he reached their utmost fringe without apparent effort. He had an extraordinary power of marshaling and presenting significant facts, so as to bring conviction to the average mind. His range of reading was not wide; he read only what he might some day find useful; and what he read his memory held like brass. Those who knew him well in those early days can never forget the consummate skill and power with which he would select a few pointed facts and, blow upon blow, would hammer them into the attention of great assemblages in Ohio, as Jael drove the nail into the head of the Canaanite captain. He was not often impassioned; he rarely resorted to the aid of wit or humor; yet I never saw his equal in controlling and convincing a popular audience by sheer appeal to their reason and intelligence. He did not flatter or cajole them, but there was an implied compliment in the serious and sober tone in which he addressed them. He seemed one of them; in heart and feeling he *was* one of them. Each artisan in a great crowd might say: That is the sort of man I would like to be, and under more favoring circumstances might have been. He had the divine gift of sympathy, which, though given only to the elect, makes all men their friends.

So it came naturally about that in 1876—the beginning of the second century of the Republic—he began, by an election to Congress, his political career. Thereafter for fourteen years this chamber was his home. I use the word advisedly. Nowhere in the world was he so in harmony with his environment as here; nowhere else did his mind work with such full consciousness of its powers. The air of debate was native to him; here he drank delight of battle with his peers. In after days, when he drove by this stately pile, or when on rare occasions his duty called him here, he greeted his old haunts with the affectionate zest of a child of the house; during all the last ten years of his life, filled as they were with activity and glory, he never ceased to be homesick for this hall. When he came to the Presidency, there was not a day when his Congressional service was not of use to him. Probably no other President has been in such full and cordial communion with Congress, if we may except Lincoln alone. McKinley knew the legislative body

thoroughly, its composition, its methods, its habit of thought. He had the profoundest respect for its authority and an inflexible belief in the ultimate rectitude of its purposes. Our history shows how sure an executive courts disaster and ruin by assuming an attitude of hostility or distrust to the Legislature; and, on the other hand, McKinley's frank and sincere trust and confidence in Congress were repaid by prompt and loyal support and coöperation. During his entire term of office this mutual trust and regard—so essential to the public welfare—was never shadowed by a single cloud.

He was a Republican. He could not be anything else. A Union soldier grafted upon a Clay Whig, he necessarily believed in the "American System"—in protection to home industries; in a strong, aggressive nationality; in a liberal construction of the Constitution. What any self-reliant nation might rightly do, he felt this nation had power to do, if required by the common welfare and not prohibited by our written charter.

Following the natural bent of his mind, he devoted himself to questions of finance and revenue, to the essentials of the national housekeeping. He took high rank in the House from the beginning. His readiness in debate, his mastery of every subject he handled, the bright and amiable light he shed about him, and above all the unfailing courtesy and goodwill with which he treated friend and foe alike—one of the surest signatures of a nature born to great destinies—made his service in the House a pathway of unbroken success and brought him at last to the all-important post of chairman of Ways and Means and leader of the majority. Of the famous revenue act which, in that capacity, he framed and carried through Congress, it is not my purpose here and now to speak. The embers of the controversy in the midst of which that law had its troubled being are yet too warm to be handled on a day like this. I may only say that it was never sufficiently tested to prove the praises of its friends or the criticisms of its opponents. After a brief existence it passed away, for a time, in the storm that swept the Republicans out of power. McKinley also passed through a brief zone of shadow, his Congressional district having been rearranged for that purpose by a hostile Legislature.

Someone has said it is easy to love our enemies; they help us so much more than our friends. The people whose malevolent skill had turned McKinley out of Congress deserved well of him and of the Republic. Never was Nemesis more swift and energetic. The Republicans of Ohio were saved the trouble of choosing a Governor—the other side had chosen one for them. A year after McKinley left Congress he was made Governor of Ohio, and two years later he was reëlected, each time

by majorities unhoped-for and overwhelming. He came to fill a space in the public eye which obscured a great portion of the field of vision. In two National Conventions, the Presidency seemed within his reach. But he had gone there in the interest of others and his honor forbade any dalliance with temptation. So his nay was nay—delivered with a tone and gesture there was no denying. His hour was not yet come.

There was, however, no long delay. He became from year to year, the most prominent politician and orator in the country. Passionately devoted to the principles of his party, he was always ready to do anything, to go anywhere, to proclaim his ideas and to support its candidates. His face and his voice became familiar to millions of our people; and wherever they were seen and heard, men became his partizans. His face was cast in a classic mold; you see faces like it in antique marble in the galleries of the Vatican and in the portraits of the great Cardinal-statesmen of Italy; his voice was the voice of the perfect orator —ringing, vibrating, tireless, persuading by its very sound, by its accent of sincere conviction. So prudent and so guarded were all his utterances, so lofty his courtesy, that he never embarrassed his friends, and never offended his opponents. For several months before the Republican National Convention met in 1896 it was evident to all who had eyes to see that Mr. McKinley was the only probable candidate of his party. Other names were mentioned, of the highest rank in ability, character and popularity; they were supported by powerful combinations, but the nomination of William McKinley as against the field, was inevitable.

The campaign he made will be always memorable in our political annals. He and his friends had thought that the issue for the year was the distinctive and historic difference between the two parties on the subject of the tariff. To this wager of battle the discussions of the previous four years distinctly pointed. But no sooner had the two parties made their nominations than it became evident that the opposing candidate declined to accept the field of discussion chosen by the Republicans, and proposed to put forward as the main issue the free coinage of silver. McKinley at once accepted this challenge, and, taking the battle, for protection as already won, went with energy into the discussion of the theories presented by his opponents. He had wisely concluded not to leave his home during the canvass, thus avoiding a proceeding which has always been of sinister augury in our politics; but from the front porch of his modest house in Canton he daily addressed the delegations which came from every part of the country to greet him in a series of speeches so strong, so varied, so pertinent, so full of facts briefly set forth, of theories embodied in a single phrase, that they formed the hourly text for the other speakers of his party, and give

probably the most convincing proof we have of his surprising fertility of resource and flexibility of mind. All this was done without anxiety or strain. I remember a day I spent with him during that busy summer. He had made nineteen speeches the day before; that day he made many. But in the intervals of these addresses he sat in his study and talked, with nerves as quiet and a mind as free from care as if we had been spending a holiday at the seaside or among the hills.

When he came to the Presidency he confronted a situation of the utmost difficulty, which might well have appalled a man of less serene and tranquil self-confidence. There had been a state of profound commercial and industrial depression from which his friends had said his election would relieve the country. Our relations with the outside world left much to be desired. The feeling between the Northern and Southern sections of the Union was lacking in the cordiality which was necessary to the welfare of both. Hawaii had asked for annexation and had been rejected by the preceding administration. There was a state of things in the Caribbean which could not permanently endure. Our neighbor's house was on fire, and there were grave doubts as to our rights and duties in the premises. A man either weak or rash, either irresolute or headstrong, might have brought ruin on himself and incalculable harm to the country.

Again I crave the pardon of those who differ with me if, against all my intentions, I happen to say a word which may seem to them unbefitting the place and hour. But I am here to give the opinion which his friends entertained of President McKinley, of course claiming no immunity from criticism in what I shall say. I believe, then, that the verdict of history will be that he met all these grave questions with perfect valor and incomparable ability; that in grappling with them he rose to the full height of a great occasion, in a manner which redounded to the lasting benefit of the country and to his own immortal honor.

The least desirable form of glory to a man of his habitual mood and temper—that of successful war—was nevertheless conferred upon him by uncontrollable events. He felt it must come; he deplored its necessity; he strained almost to breaking his relations with his friends, in order, first to prevent and then to postpone it to the latest possible moment. But when the die was cast, he labored with the utmost energy and ardor, and with an intelligence in military matters which showed how much of the soldier still survived in the mature statesman to push forward the war to a decisive close. War was an anguish to him; he wanted it short and conclusive. His merciful zeal communicated itself to his subordinates, and the war, so long dreaded, whose consequences were so momentous, ended in a hundred days.

Mr. Stedman, the dean of our poets, has called him "Augmenter of the State." It is a proud title; if justly conferred, it ranks him among the few whose names may be placed definitely and forever in charge of the historic Muse. Under his rule Hawaii has come to us, and Tutuila; Porto Rico and the vast archipelago of the East. Cuba is free. Our position in the Caribbean is assured beyond the possibility of future question. The doctrine called by the name of Monroe, so long derided and denied by alien publicists, evokes now no challenge or contradiction when uttered to the world. It has become an international truism. Our sister republics to the south of us are convinced that we desire only their peace and prosperity. Europe knows that we cherish no dreams but those of worldwide commerce, the benefit of which shall be to all nations. The State is augmented, but it threatens no nation under heaven. As to those regions which have come under the shadow of our flag, the possibility of their being damaged by such change of circumstances was in the view of McKinley a thing unthinkable. To believe that we could not administer them to their advantage, was to turn infidel to our American faith of more than a hundred years.

In dealing with foreign Powers he will take rank with the greatest of our diplomatists. It was a world of which he had little special knowledge before coming to the Presidency. But his marvelous adaptability was in nothing more remarkable than in the firm grasp he immediately displayed in international relations. In preparing for war and in the restoration of peace he was alike adroit, courteous and far-sighted. When a sudden emergency declared itself, as in China, in a state of things of which our history furnished no precedent and international law no safe and certain precept, he hesitated not a moment to take the course marked out for him by considerations of humanity and the national interests. Even while the legations were fighting for their lives against bands of infuriated fanatics, he decided that we were at peace with China; and while that conclusion did not hinder him from taking the most energetic measures to rescue our imperiled citizens, it enabled him to maintain close and friendly relations with the wise and heroic Viceroys of the South, whose resolute stand saved that ancient empire from anarchy and spoliation. He disposed of every question as it arose with a promptness and clarity of vision that astonished his advisers, and he never had occasion to review a judgment or reverse a decision.

By patience, by firmness, by sheer reasonableness, he improved our understanding with all the great Powers of the world, and rightly gained the blessing which belongs to the peacemakers.

But the achievements of the nation in war and diplomacy are thrown

in the shade by the vast economical developments which took place during Mr. McKinley's administration. Up to the time of his first election, the country was suffering from a long period of depression, the reasons of which I will not try to seek. But from the moment the ballots were counted that betokened his advent to power, a great and momentous movement in advance declared itself along all the lines of industry and commerce. In the very month of his inauguration steel rails began to be sold at $18 a ton—one of the most significant facts of modern times. It meant that American industries had adjusted themselves to the long depression—that through the power of the race to organize and combine, stimulated by the conditions then prevailing, and perhaps by prospect of legislation favorable to industry, America had begun to undersell the rest of the world. The movement went on without ceasing. The President and his party kept the pledges of their platform and their canvass. The Dingley bill was speedily framed and set in operation. All industries responded to the new stimulus and American trade set out on its new crusade, not to conquer the world, but to trade with it on terms advantageous to all concerned. I will not weary you with statistics, but one or two words seem necessary to show how the acts of McKinley as President kept pace with his professions as candidate. His four years of administration were costly; we carried on a war which, though brief, was expensive. Although we borrowed $200,000,000 and paid our own expenses without asking for indemnity, the effective reduction of the debt now exceeds the total of the war bonds. We pay $6,000,000 less in interest than we did before the war and no bond of the United States yields the holder 2 per cent. on its market value. So much for the Government credit; and we have $546,000,000 of gross gold in the Treasury.

But, coming to the development of our trade in the four McKinley years, we seem to be entering the realm of fable. In the last fiscal year our excess of exports over imports was $664,592,826. In the last four years it was $2,354,442,213. These figures are so stupendous that they mean little to a careless reader—but consider! The excess of exports over imports for the whole preceding period from 1790 to 1897—from Washington to McKinley—was only $356,808,822.

The most extravagant promises made by the sanguine McKinley advocates five years ago are left out of sight by these sober facts. The debtor nation has become the chief creditor nation. The financial center of the world, which required thousands of years to journey from the Euphrates to the Thames and the Seine, seems passing to the Hudson between daybreak and dark.

I will not waste your time by explaining that I do not invoke for any

man the credit of this vast result. The captain cannot claim that it is he who drives the mighty steamship over the tumbling billows of the trackless deep; but praise is justly due him if he has made the best of her tremendous powers, if he has read aright the currents of the sea and the lessons of the stars. And we should be ungrateful if in this hour of prodigious prosperity we should fail to remember that William McKinley with sublime faith foresaw it, with indomitable courage labored for it, put his whole heart and mind into the work of bringing it about; that it was his voice which, in dark hours, rang out, heralding the coming light, as over the twilight waters of the Nile the mystic cry of Memnon announced the dawn to Egypt, waking from sleep.

Among the most agreeable incidents of the President's term of office were the two journeys he made to the South. The moral reunion of the sections—so long and so ardently desired by him—had been initiated by the Spanish war, when the veterans of both sides, and their sons, had marched shoulder to shoulder together under the same banner. The President in these journeys sought, with more than usual eloquence and pathos, to create a sentiment which should end forever the ancient feud. He was too good a politician to expect any results in the way of votes in his favor, and he accomplished none. But for all that the good seed did not fall on barren ground. In the warm and chivalrous heart of that generous people, the echo of his cordial and brotherly words will linger long, and his name will be cherished in many a household where even yet the lost cause is worshiped.

Mr. McKinley was reëlected by an overwhelming majority. There had been little doubt of the result among well-informed people; but when it was known, a profound feeling of relief and renewal of trust were evident among the leaders of capital and of industry, not only in this country, but everywhere. They felt that the immediate future was secure, and that trade and commerce might safely push forward in every field of effort and enterprise. He inspired universal confidence, which is the lifeblood of the commercial system of the world. It began frequently to be said that such a state of things ought to continue; one after another, men of prominence said that the President was his own best successor. He paid little attention to these suggestions until they were repeated by some of his nearest friends. Then he saw that one of the most cherished traditions of our public life was in danger. The generation which has seen the prophecy of the Papal throne—*Non videbis annos Petri*—twice contradicted by the longevity of holy men was in peril of forgetting the unwritten law of our Republic. Thou shalt not exceed the years of Washington. The President saw it was time to speak, and in his characteristic manner he spoke, briefly, but enough.

Where the lightning strikes there is no need of iteration. From that hour, no one dreamed of doubting his purpose of retiring at the end of his second term, and it will be long before another such lesson is required.

He felt that the harvest time was come, to garner in the fruits of so much planting and culture, and he was determined that nothing he might do or say should be liable to the reproach of a personal interest. Let us say frankly he was a party man; he believed the politics advocated by him and his friends counted for much in the country's progress and prosperity. He hoped in his second term to accomplish substantial results in the development and affirmation of those policies. I spent a day with him shortly before he started on his fateful journey to Buffalo. Never had I seen him higher in hope and patriotic confidence. He was as sure of the future of his country as the Psalmist who cried "Glorious things are spoken of thee, thou City of God." He was gratified to the heart that we had arranged a treaty which gave us a free hand in the Isthmus. In fancy he saw the canal already built and the argosies of the world passing through it in peace and amity. He saw in the immense evolution of American trade the fulfilment of all his dreams, the reward of all his labors. He was—I need not say—an ardent protectionist, never more sincere and devoted than during those last days of his life. He regarded reciprocity as the bulwark of protection—not a breach, but a fulfilment of the law. The treaties which for four years had been preparing under his personal supervision he regarded as ancillary to the general scheme. He was opposed to any revolutionary plan of change in the existing legislation; he was careful to point out that everything he had done was in faithful compliance with the law itself.

In that mood of high hope, of generous expectation, he went to Buffalo, and there, on the threshold of eternity, he delivered that memorable speech, worthy for its loftiness of tone, its blameless morality, its breadth of view, to be regarded as his testament to the nation. Through all his pride of country and his joy of its success runs the note of solemn warning, as in Kipling's noble hymn, "Lest We Forget."

"Our capacity to produce has developed so enormously and our products have so multiplied that the problem of more markets requires our urgent and immediate attention. Only a broad and enlightened policy will keep what we have. No other policy will get more. In these times of marvelous business energy and gain we ought to be looking to the future, strengthening the weak places in our industrial and commercial systems, that we may be ready for any storm or strain.

"By sensible trade arrangements which will not interrupt our home pro-

duction we shall extend the outlets for our increasing surplus. A system which provides a mutual exchange of commodities is manifestly essential to the continued and healthful growth of our export trade. We must not repose in fancied security that we can forever sell everything and buy little or nothing.

"If such a thing were possible, it would not be best for us or for those with whom we deal. . . . Reciprocity is the natural outgrowth of our wonderful industrial development under the domestic policy now firmly established. . . . The period of exclusiveness is past. The expansion of our trade and commence is the pressing problem. Commercial wars are unprofitable. A policy of goodwill and friendly trade relations will prevent reprisals. Reciprocity treaties are in harmony with the spirit of the times; measures of retaliation are not."

I wish I had time to read the whole of this wise and weighty speech; nothing I might say could give such a picture of the President's mind and character. His years of apprenticeship had been served. He stood that day past-master of the art of statesmanship. He had nothing more to ask of the people. He owed them nothing but truth and faithful service. His mind and heart were purged of the temptations which beset all men engaged in the struggle to survive. In view of the revelation of his nature vouchsafed to us that day, and the fate which impended over him, we can only say in deep affection and solemn awe: "Blessed are the pure in heart, for they shall see God." Even for that vision he was not unworthy.

He had not long to wait. The next day sped the bolt of doom, and for a week after—in an agony of dread, broken by illusive glimpses of hope that our prayers might be answered—the nation waited for the end. Nothing in the glorious life that we saw gradually waning was more admirable and exemplary than its close. The gentle humanity of his words when he saw his assailant in danger of summary vengeance, "Don't let them hurt him"; his chivalrous care that the news should be broken gently to his wife; the fine courtesy with which he apologized for the damage which his death would bring to the great Exhibition; and the heroic resignation of his final words, "It is God's way; His will, not ours, be done," were all the instinctive expressions of a nature so lofty and so pure that pride in its nobility at once softened and enhanced the nation's sense of loss. The Republic grieved over such a son—but is proud forever of having produced him. After all, in spite of its tragic ending, his life was extraordinarily happy. He had, all his days, troops of friends, the cheer of fame and fruitful labor; and he became at last,

On fortune's crowning slope,
The pillar of a people's hope,
The center of a world's desire.

He was fortunate even in his untimely death, for an event so tragical called the world imperatively to the immediate study of his life and character, and thus anticipated the sure praises of posterity.

Every young and growing people has to meet, at moments, the problems of its destiny. Whether the question comes, as in Egypt, from a sphinx, symbol of the hostile forces of omnipotent nature, Who punishes with instant death our failure to understand her meaning; or whether it comes, as in Jerusalem, from the Lord of Hosts, who commands the building of His temple, it comes always with the warning that the past is past and experience vain: "Your fathers, where are they? and the prophets, do they live forever?" The fathers are dead, the prophets are silent; the questions are new, and have no answer but in time.

When the horny outside case which protects the infancy of a chrysalis nation suddenly bursts, and, in a single abrupt shock, it finds itself floating on wings which have not existed before, whose strength it has never tested, among dangers it cannot foresee and is without experience to measure every motion is a problem and every hesitation may be an error. The past gives no clue to the future. The fathers, where are they? and the prophets, do they live forever? We are ourselves the fathers! We ourselves the prophets! The questions that are put to us we must answer without delay, without help—for the sphinx allows no one to pass.

At such moments, which have already occurred at least twice in the brief history of our own lives, we may be humbly grateful to have had leaders simple in mind, clear in vision—as far as human vision can safely extend—penetrating in knowledge of men, supple and flexible under the strains and pressures of society, instinct with the energy of new life and untried strength, cautious, calm, and, above all, gifted in a supreme degree with the most surely victorious of all political virtues —the genius of infinite patience.

The obvious elements which enter into the fame of a public man are few and by no means recondite. The man who fills a great station in a period of change, who leads his country successfully through a time of crisis; who, by his power of persuading and controlling others, has been able to command the best thought of his age, so as to leave his country in a moral or material condition in advance of where he found it—such a man's position in history is secure. If, in addition to this, his written or spoken words possess the subtle quality which carry them

far and lodge them in men's hearts; and, more than all, if his utterances and actions, while informed with a lofty morality, are yet tinged with the glow of human sympathy, the fame of such a man will shine like a beacon through the mists of ages—an object of reverence, of imitation and of love. It should be to us an occasion of solemn pride that in the three great crises of our history such a man was not denied us. The moral value to a nation of a renown such as Washington's and Lincoln's and McKinley's is beyond all computation. No loftier ideal can be held up to the emulation of ingenuous youth. With such examples we cannot be wholly ignoble. Grateful as we may be for what they did, let us still be more grateful for what they were. While our daily being, our public policies, still feel the influence of their work, let us pray that in our spirits their lives may be voluble, calling us upward and onward.

There is not one of us but feels prouder of his native land because the august figure of Washington presided over its beginning; no one but vows it a tenderer love because Lincoln poured out his blood for it; no one but must feel his devotion for his country renewed and kindled when he remembers how McKinley loved, revered and served it, showed in his life how a citizen should live and in his last hour taught us how a gentleman could die.

§ 24

EULOGY ON DANIEL O'CONNELL

By Wendell Phillips

(Delivered on the one hundredth anniversary of the birth of Daniel O'Connell, August 6, 1875, in Music Hall, Boston.)

A hundred years ago to-day Daniel O'Connell was born. The Irish race, wherever scattered over the globe, assembles to-night to pay fitting tribute to his memory—one of the most eloquent men, one of the most devoted patriots, and the most successful statesman which that race has given to history. We of other races may well join you in that tribute, since the cause of constitutional government owes more to O'Connell than to any other political leader of the last two centuries. The English-speaking race, to find his equal among statesmen, must pass by Chatham and Walpole, and go back to Oliver Cromwell, or the able men who held up the throne of Queen Elizabeth. If to put the civil and social elements of your day into successful action, and plant the seeds

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of continued strength and progress for coming times—if this is to be a statesman, then most emphatically was O'Connell one. To exert this control, and secure this progress, while and because ample means lie ready for use under your hand, does not rob Walpole and Colbert, Chatham and Richelieu, of their title to be considered statesmen. To do it, as Martin Luther did, when one must ingeniously discover or invent his tools, and while the mightiest forces that influence human affairs are arrayed against him, that is what ranks O'Connell with the few masterly statesmen the English-speaking race has ever had. When Napoleon's soldiers bore the negro chief Toussaint L'Ouverture into exile, he said, pointing back to San Domingo, "You think you have rooted up the tree of liberty, but I am only a branch. I have planted the tree itself so deep that ages will never root it up." And whatever may be said of the social or industrial condition of Hayti during the last seventy years, its nationality has never been successfully assailed.

O'Connell is the only Irishman who can say as much of Ireland. From the peace of Utrecht, 1713, till the fall of Napoleon, Great Britain was the leading state in Europe; while Ireland, a comparatively insignificant island, lay at its feet. She weighed next to nothing in the scale of British politics. The Continent pitied and England despised her. O'Connell found her a mass of quarreling races and sects, divided, dispirited, broken-hearted, and servile. He made her a nation whose first word broke in pieces the iron obstinacy of Wellington, tossed Peel from the Cabinet, and gave the government to the Whigs; whose colossal figure, like the helmet in Walpole's romance, has filled the political sky ever since; whose generous aid thrown into the scale of the three great British reforms,—the ballot, the corn-laws, and slavery,—secured their success; a nation whose continual discontent has dragged Great Britain down to be a second-rate power on the chess-board of Europe. I know other causes have helped in producing this result, but the nationality which O'Connell created has been the main cause of this change in England's importance. Dean Swift, Molyneux, and Henry Flood thrust Ireland for a moment into the arena of British politics, a sturdy suppliant clamoring for justice; and Grattan held her there an equal, and, as he thought, a nation, for a few years. But the unscrupulous hand of William Pitt brushed away in an hour all Grattan's works. Well might he say of the Irish Parliament which he brought to life, "I sat by its cradle, I followed its hearse"; since after that infamous union, which Byron called a "union of the shark with its prey," Ireland sank back, plundered and helpless. O'Connell lifted her to a fixed and permanent place in English affairs—no suppliant, but a conqueror dictating her terms.

This is the proper standpoint from which to look at O'Connell's work. This is the consideration that ranks him, not with founders of states, like Alexander, Cæsar, Bismarck, Napoleon, and William the Silent, but with men who, without arms, by force of reason, have revolutionized their times—with Luther, Jefferson, Mazzini, Samuel Adams, Garrison, and Franklin. I know some men will sneer at this claim—those who have never looked at him except through the spectacles of English critics, who despised him as an Irishman and a Catholic, until they came to hate him as a conqueror. As Grattan said of Kirwan, "The curse of Swift was upon him, to have been born an Irishman and a man of genius, and to have used his gifts for his country's good." Mark what measure of success attended the able men who preceded him, in circumstances as favorable as his, perhaps even better; then measure him by comparison.

An island soaked with the blood of countless rebellions; oppression such as would turn cowards into heroes; a race whose disciplined valor had been proved on almost every battlefield in Europe, and whose reckless daring lifted it, any time, in arms against England, with hope or without—what inspired them? Devotion, eloquence, and patriotism seldom paralleled in history. Who led them? Dean Swift, according to Addison, "the greatest genius of his age," called by Pope "the incomparable," a man fertile in resources, of stubborn courage and tireless energy, master of an English style unequaled, perhaps, for its purpose then or since, a man who had twice faced England in her angriest mood, and by that masterly pen subdued her to his will; Henry Flood, eloquent even for an Irishman, and sagacious as he was eloquent—the eclipse of that brilliant life one of the saddest pictures in Irish biography; Grattan, with all the courage, and more than the eloquence, of his race, a statesman's eye quick to see every advantage, boundless devotion, unspotted integrity, recognized as an equal by the world's leaders, and welcomed by Fox to the House of Commons as the "Demosthenes of Ireland"; Emmet in the field, Sheridan in the senate, Curran at the bar; and, above all, Edmund Burke, whose name makes eulogy superfluous, more than Cicero in the senate, almost Plato in the academy. All these gave their lives to Ireland; and when the present century opened, where was she? Sold like a slave in the marketplace by her perjured master, William Pitt.

It was then that O'Connell flung himself into the struggle, gave fifty years to the service of his country; and where is she to-day? Not only redeemed, but her independence put beyond doubt or peril. Grattan and his predecessors could get no guaranties for what rights they gained. In that sagacious, watchful, and almost omnipotent public opinion, which

O'Connell created, is an all-sufficient guaranty of Ireland's future. Look at her! almost every shackle has fallen from her limbs; all that human wisdom has as yet devised to remedy the evils of bigotry and misrule has been done. O'Connell found Ireland a "hissing and a byword" in Edinburgh and London. He made her the pivot of British politics; she rules them, directly or indirectly, with as absolute a sway as the slave question did the United States from 1850 to 1865. Look into Earl Russell's book, and the history of the Reform Bill of 1832, and see with how much truth it may be claimed that O'Connell and his fellows gave Englishmen the ballot under that act. It is by no means certain that the corn-laws could have been abolished without their aid. In the Anti-slavery struggle O'Connell stands, in influence and ability, equal with the best. I know the credit all those measures do to English leaders; but, in my opinion, the next generation will test the statesmanship of Peel, Palmerston, Russell, and Gladstone, almost entirely by their conduct of the Irish question. All the laurels they have hitherto won in that field are rooted in ideas which Grattan and O'Connell urged on reluctant hearers for half a century. Why do Bismarck and Alexander look with such contemptuous indifference on every attempt of England to mingle in European affairs? Because they know they have but to lift a finger, and Ireland stabs her in the back. Where was the statesmanship of English leaders when they allowed such an evil to grow so formidable? This is Ireland to-day. What was she when O'Connell undertook her cause? The saddest of Irish poets has described her:

"O Ireland, my country, the hour of thy pride and thy splendor hath passed,
And the chain that was spurned in thy moments of power hangs heavy around thee at last!
There are marks in the fate of each clime, there are turns in the fortunes of men;
But the changes of realms or the chances of time shall never restore thee again.

"Thou art chained to the wheel of the foe by links which a world cannot sever:
With thy tyrant through storm and through calm thou shalt go, and thy sentence is bondage forever.
Thou art doomed for the thankless to toil, thou art left for the proud to disdain:
And the blood of thy sons and the wealth of thy soil shall be lavished and lavished in vain.

"Thy riches with taunts shall be taken, thy valor with coldness be paid;
And of millions who see thee thus sunk and forsaken not one shall stand forth in thine aid.
In the nations thy place is left void; thou art lost in the list of the free;
Even realms by the plague and the earthquake destroyed may revive, but no hope is for thee."

It was at this moment, when the cloud came down close to earth, that O'Connell, then a young lawyer just admitted to the bar, flung himself in front of his countrymen, and begged them to make one grand effort. The hierarchy of the Church disowned him. They said, "We have seen every attempt lead always up to the scaffold; we are not willing to risk another effort." The peerage of the island repudiated him. They said, "We have struggled and bled for a half dozen centuries; it is better to sit down content." Alone, a young man, without office, without wealth, without renown, he flung himself in front of the people, and asked for a new effort. What was the power left him? Simply the people—poverty-stricken, broken-hearted peasants standing on a soil soaked with the blood of their ancestors, cowering under a code of which Brougham said that "they could not lift their hands without breaking it." It was a community impoverished by five centuries of oppression—four millions of Catholics robbed of every acre of their native land; it was an island torn by race-hatred and religious bigotry, her priests indifferent, and her nobles hopeless or traitors. The wiliest of her enemies, a Protestant Irishman, ruled the British senate; the sternest of her tyrants, a Protestant Irishman, led the armies of Europe. Puritan hate, which had grown blinder and more bitter since the days of Cromwell, gave them weapons. Ireland herself lay bound in the iron links of a code which Montesquieu said could have been "made only by devils, and should be registered only in hell." Her millions were beyond the reach of the great reform engine of modern times, since they could neither read nor write.

Well, in order to lead Ireland in that day an Irishman must have four elements, and he must have them also to a large extent to-day. The first is, he must be what an Irishman calls a gentleman, every inch of him, from the crown of his head to the sole of his foot—that is, he must trace his lineage back to the legends of Ireland. Well, O'Connell could do that; he belonged to one of the perhaps seven royal families of the old history. Secondly, he must have proved his physical courage in the field or by the duel. Well, O'Connell knew this; his enemies knew it. Bred at St. Omer, with a large leaning to be a priest, he had the most emphatic scruples against the duel, and so announced himself; so that when he had got his head above the mass and began to be seen, a Major

d'Esterre, agent of the Dublin Corporation, visited him with continuous insult. Every word that had insult in it was poured upon his head through the journals. O'Connell saw the dread alternative—he must either give satisfaction to the gentleman or leave the field; and at last he consented to a challenge. He passed the interval between the challenge and the day of meeting in efforts to avoid it, which were all attributed to cowardice. When at last he stood opposite his antagonist, he said to his second, "God forbid that I should risk a life; mark me, I shall fire below the knee." But you know in early practice with the pistol you always fire above the mark; and O'Connell's pistol took effect above the knee, and D'Esterre fell mortally wounded. O'Connell recorded in the face of Europe a vow against further dueling. He settled a pension on the widow of his antagonist; and a dozen years later, when he held ten thousand dollars' worth of briefs in the northern courts, he flung them away, and went to the extreme south to save for her the last acre she owned. After this his sons fought his duels; and when Disraeli, anxious to prove himself a courageous man, challenged O'Connell, he put the challenge in his pocket. Disraeli, to get the full advantage of the matter, sent his letter to the London *Times;* whereupon Maurice O'Connell sent the Jew a message that there was an O'Connell who would fight the duel if he wanted it, but his name was not Daniel. Disraeli did not continue the correspondence.

Thirdly, an Irish leader must not only be a lawyer of great acuteness, but he must have a great reputation for being such. He had to lift three millions of people, and fling them against a government that held in its hand a code which made it illegal for any one of them to move; and they never had moved prior to this that it did not end at the scaffold. For twenty long years O'Connell lifted these three millions of men, and flung them against the British government at every critical moment, and no sheriff ever put his hand on one of his followers; and when late in life the Queen's Bench of Judges, sitting in Dublin, sent him to jail, he stood almost alone in his interpretation of the statutes against the legal talent of the island. He appealed to the House of Lords, and the judges of England confirmed his construction of the law and set him free. Fourthly, an Irish leader must be an orator; he must have the magic that molds millions of souls into one. Of this I shall have more to say in a moment.

In this mass of Irish ignorance, weakness, and quarrel, one keen eye saw hidden the elements of union and strength. With rarest skill he called them forth, and marshaled them into rank. Then this one man, without birth, wealth, or office, in a land ruled by birth, wealth, and office, molded from those unsuspected elements a power which, over-

awing king, senate, and people, wrote his single will on the statute-book of the most obstinate nation in Europe. Safely to emancipate the Irish Catholics, and, in spite of Saxon-Protestant hate, to lift all Ireland to the level of British citizenship—this was the problem which statesmanship and patriotism had been seeking for two centuries to solve. For this, blood had been poured out like water. On this, the genius of Swift, the learning of Molyneux, and the eloquence of Bushe, Grattan, and Burke had been wasted. English leaders ever since Fox had studied this problem anxiously. They saw that the safety of the empire was compromised. At one or two critical moments in the reign of George III., one signal from an Irish leader would have snapped the chain that bound Ireland to his throne. His ministers recognized it; and they tried every expedient, exhausted every device, dared every peril, kept oaths or broke them, in order to succeed. All failed; and not only failed, but acknowledged they could see no way in which success could ever be achieved.

O'Connell achieved it. Out of this darkness, he called forth light. Out of this most abject, weak, and pitiable of kingdoms, he made a power; and dying, he left in Parliament a specter which, unless appeased, pushes Whig and Tory ministers alike from their stools.

But Brougham says he was a demagogue. Fie on Wellington, Derby, Peel, Palmerston, Liverpool, Russell, and Brougham, to be fooled and ruled by a demagogue! What must they, the subjects, be, if O'Connell, their king, be only a bigot and a demagogue? A demagogue rides the storm; he has never really the ability to create one. He uses it narrowly, ignorantly, and for selfish ends. If not crushed by the force which, without his will, has flung him into power, he leads it with ridiculous miscalculation against some insurmountable obstacle that scatters it forever. Dying, he leaves no mark on the elements with which he has been mixed. Robespierre will serve for an illustration. It took O'Connell thirty years of patient and sagacious labor to mold elements whose existence no man, however wise, had ever discerned before. He used them unselfishly, only to break the yoke of his race. Nearly fifty years have passed since his triumph, but his impress still stands forth clear and sharp on the empire's policy. Ireland is wholly indebted to him for her political education. Responsibility educates; he lifted her to broader responsibilities. Her possession of power makes it the keen interest of other classes to see she is well informed. He associated her with all the reform movements of Great Britain. This is the education of affairs, broader, deeper, and more real than what school or college can give. This and power, his gifts, are the lever which lifts her to every other right and privilege. How much England owes him we can

never know; since how great a danger and curse Ireland would have been to the empire, had she continued the cancer Pitt and Castlereagh left her, is a chapter of history which, fortunately, can never be written. No demagogue ever walked through the streets of Dublin, as O'Connell and Grattan did more than once, hooted and mobbed because they opposed themselves to the mad purpose of the people, and crushed it by a stern resistance. No demagogue would have offered himself to a race like the Irish as the apostle of peace, pledging himself to the British government that, in the long agitation before him, with brave millions behind him spoiling for a fight, he would never draw a sword.

I have purposely dwelt long on this view, because the extent and the far-reaching effects of O'Connell's work, without regard to the motives which inspired him or the methods he used, have never been fully recognized.

Briefly stated, he did what the ablest and bravest of his forerunners had tried to do and failed. He created a public opinion and unity of purpose,—no matter what be now the dispute about methods,—which made Ireland a nation; he gave her British citizenship, and a place in the imperial Parliament; he gave her a press and a public: with these tools her destiny is in her own hands. When the Abolitionists got for the negro schools and the vote, they settled the slave question; for they planted the sure seeds of civil equality. O'Connell did this for Ireland —this which no Irishman before had ever dreamed of attempting. Swift and Molyneux were able. Grattan, Bushe, Saurin, Burrowes, Plunket, Curran, Burke, were eloquent. Throughout the island courage was a drug. They gained now one point, and now another; but, after all, they left the helm of Ireland's destiny in foreign and hostile hands. O'Connell was brave, sagacious, eloquent; but, more than all, he was a statesman, for he gave to Ireland's own keeping the key of her future. As Lord Bacon marches down the centuries, he may lay one hand on the telegraph and the other on the steam-engine, and say, "These are mine, for I taught you how to study Nature." In a similar sense, as shackle after shackle falls from Irish limbs, O'Connell may say, "This victory is mine; for I taught you the method, and I gave you the arms."

I have hitherto been speaking of his ability and success; by and by we will look at his character, motives, and methods. This unique ability even his enemies have been forced to confess. Harriet Martineau, in her incomparable history of the "Thirty Years' Peace," has, with Tory hate, misconstrued every action of O'Connell, and invented a bad motive for each one. But even she confesses that "he rose in power, influence, and notoriety to an eminence such as no other individual citizen has

attained in modern times" in Great Britain. And one of his by no means partial biographers has well said:

"Any man who turns over the magazines and newspapers of that period will easily perceive how grandly O'Connell's figure dominated in politics, how completely he had dispelled the indifference that had so long prevailed on Irish questions, how clearly his agitation stands forth as the great fact of the time. . . . The truth is, his position, so far from being a common one, is absolutely unique in history. We may search in vain through the records of the past for any man, who without the effusion of a drop of blood or the advantages of office or rank, succeeded in governing a people so absolutely and so long, and in creating so entirely the elements of his power. . . . There was no rival to his supremacy, there was no restriction to his authority. He played with the enthusiasm he had aroused, with the negligent ease of a master; he governed the complicated organization he had created with a sagacity that never failed. He made himself the focus of the attention of other lands, and the center around which the rising intellect of his own revolved. He had transformed the whole social system of Ireland; almost reversed the relative positions of Protestants and Catholics; remodeled by his influence the representative, ecclesiastical, and educational institutions, and created a public opinion that surpassed the wildest dreams of his predecessors. Can we wonder at the proud exultation with which he exclaimed, 'Grattan sat by the cradle of his country, and followed her hearse; it was left for me to sound the resurrection trumpet, and to show that she was not dead, but sleeping'?"

But the method by which he achieved his success is perhaps more remarkable than even the success itself. An Irish poet, one of his bitterest assailants thirty years ago, has laid a chaplet of atonement on his altar, and one verse runs:

> "O great world-leader of a mighty age!
> Praise unto thee let all the people give.
> By thy great name of LIBERATOR live
> In golden letters upon history's page;
> And this thy epitaph while time shall be,—
> *He found his country chained, but left her free.*"

It is natural that Ireland should remember him as her Liberator. But, strange as it may seem to you, I think Europe and America will remember him by a higher title. I said in opening, that the cause of constitutional government is more indebted to O'Connell than to any other political leader of the last two centuries. What I mean is, that he invented the great method of constitutional agitation. Agitator is a

title which will last longer, which suggests a broader and more permanent influence, and entitles him to the gratitude of far more millions than the name Ireland loves to give him. The "first great agitator" is his proudest title to gratitude and fame. Agitation is the method that puts the school by the side of the ballot-box. The Frémont canvass was the nation's best school. Agitation prevents rebellion, keeps the peace, and secures progress. Every step she gains is gained forever. Muskets are the weapons of animals; agitation is the atmosphere of brains. The old Hindoo saw, in his dream, the human race led out to its various fortunes. First, men were in chains which went back to an iron hand; then he saw them led by threads from the brain which went upward to an unseen hand. The first was despotism, iron and ruling by force. The last was civilization, ruling by ideas.

Agitation is an old word with a new meaning. Sir Robert Peel, the first English leader who felt he was its tool, defined it to be "the marshaling of the conscience of a nation to mold its laws." O'Connell was the first to show and use its power, to lay down its principles, to analyze its elements, and mark out its metes and bounds. It is voluntary, public, and above-board,—no oath-bound secret societies like those of old time in Ireland, and of the Continent to-day. Its means are reason and argument—no appeal to arms. Wait patiently for the slow growth of public opinion.

The Frenchman is angry with his government; he throws up barricades, and shots his guns to the lips. A week's fury drags the nation ahead a hand-breadth; reaction lets it settle halfway back again. As Lord Chesterfield said, a hundred years ago, "You Frenchmen erect barricades, but never any barriers." An Englishman is dissatisfied with public affairs. He brings his charges, offers his proofs, waits for prejudice to relax, for public opinion to inform itself. Then every step taken is taken forever; an abuse once removed never reappears in history. Where did he learn this method? Practically speaking, from O'Connell. It was he who planted its corner stone—argument, no violence; no political change is worth a drop of human blood. His other motto was, "Tell the whole truth"; no concealing half of one's convictions to make the other half more acceptable; no denial of one truth to gain hearing for another; no compromise; or, as he phrased it, "Nothing is politically right which is morally wrong."

Above all, plant yourself on the millions. The sympathy of every human being, no matter how ignorant or how humble, adds weight to public opinion. At the outset of his career the clergy turned a deaf ear to his appeal. They had seen their flocks led up to useless slaughter for centuries, and counseled submission. The nobility repudiated him;

they were either traitors or hopeless. Protestants had touched their *Ultima Thule* with Grattan, and seemed settling down in despair. English Catholics advised waiting till the tyrant grew merciful. O'Connell, left alone, said, "I will forge these four millions of Irish hearts into a thunderbolt which shall suffice to dash this despotism to pieces." And he did it. Living under an aristocratic government, himself of the higher class, he anticipated Lincoln's wisdom, and framed his movements "for the people, of the people, and by the people."

It is a singular fact that the freer a nation becomes, the more utterly democratic the form of its institutions, this outside agitation, this pressure of public opinion to direct political action, becomes more and more necessary. The general judgment is that the freest possible government produces the freest possible men and women—the most individual, the least servile to the judgment of others. But a moment's reflection will show any man that this is an unreasonable expectation, and that, on the contrary, entire equality and freedom in political forms almost inevitably tend to make the individual subside into the mass, and lose his identity in the general whole. Suppose we stood in England to-night. There is the nobility, and here is the Church. There is the trading class, and here is the literary. A broad gulf separates the four; and provided a member of either can conciliate his own section, he can afford, in a very large measure, to despise the judgment of the other three. He has, to some extent, a refuge and a breakwater against the tyranny of what we call public opinion. But in a country like ours, of absolute democratic equality, public opinion is not only omnipotent, it is omnipresent. There is no refuge from its tyranny; there is no hiding from its reach; and the result is that, if you take the old Greek lantern, and go about to seek among a hundred, you will find not one single American who really has not, or who does not fancy at least that he has something to gain or lose in his ambition, his social life, or his business, from the good opinion and the votes of those about him. And the consequence is, that,—instead of being a mass of individuals, each one fearlessly blurting out his own convictions,—as a nation, compared with other nations, we are a mass of cowards. More than any other people, we are afraid of each other.

If you were a caucus to-night, Democratic or Republican, and I were your orator, none of you could yet beyond the necessary and timid limitation of party. You not only would not demand, you would not allow me to utter, one word of what you really thought, and what I thought. You would demand of me—and my value as a caucus speaker would depend entirely on the adroitness and the vigilance with which I

met the demand—that I should not utter one single word which would compromise the vote of next week. That is politics; so with the press. Seemingly independent, and sometimes really so, the press can afford only to mount the cresting wave, not go beyond it. The editor might as well shoot his reader with a bullet as with a new idea. He must hit the exact line of the opinion of the day. I am not finding fault with him; I am only describing him. Some three years ago I took to one of the freest of the Boston journals a letter, and by appropriate consideration induced its editor to print it. And as we glanced along its contents, and came to the concluding statement, he said, "Couldn't you omit that?" I said, "No; I wrote it for that; it is the gist of the statement." "Well," said he, "it is true; there is not a boy in the streets that does not know it is true; but I wish you could omit it."

I insisted; and the next morning, fairly and justly, he printed the whole. Side by side he put an article of his own, in which he said, "We copy in the next column an article from Mr. Phillips, and we only regret the absurd and unfounded statement with which he concludes it." He had kept his promise by printing the article; he saved his reputation by printing the comment. And that, again, is the inevitable, the essential limitation of the press in a republican community. Our institutions, floating unanchored on the shifting surface of popular opinion, cannot afford to hold back, or to draw forward, a hated question, and compel a reluctant public to look at it and to consider it. Hence, as you see at once, the moment a large issue, twenty years ahead of its age, presents itself to the consideration of an empire or of a republic, just in proportion to the freedom of its institutions is the necessity of a platform outside of the press, of politics, and of its Church, whereon stand men with no candidate to elect, with no plan to carry, with no reputation to stake, with no object but the truth, no purpose but to tear the question open and let the light through it. So much in explanation of a word infinitely hated,—agitation and agitators,—but an element which the progress of modern government has developed more and more every day.

The great invention we trace in its twilight and seed to the days of the Long Parliament. Defoe and L'Estrange, later down, were the first prominent Englishmen to fling pamphlets at the House of Commons. Swift ruled England by pamphlets. Wilberforce summoned the Church, and sought the alliance of influential classes. But O'Connell first showed a profound faith in the human tongue. He descried afar off the coming omnipotence of the press. He called the millions to his side, appreciated the infinite weight of the simple human heart and conscience, and grafted democracy into the British empire. The later

Abolitionists—Buxton, Sturge, and Thompson—borrowed his method. Cobden flung it in the face of the almost omnipotent landholders of England, and broke the Tory party forever. They only haunt upper air now in the stolen garments of the Whigs. The English administration recognizes this new partner in the government, and waits to be moved on. Garrison brought the new weapon to our shores. The only wholly useful and thoroughly defensible war Christendom has seen in this century, the greatest civil and social change the English race ever saw, are the result.

This great servant and weapon, peace and constitutional government owe to O'Connell. Who has given progress a greater boon? What single agent has done as much to bless and improve the world for the last fifty years?

O'Connell has been charged with coarse, violent, and intemperate language. The criticism is of little importance. Stupor and palsy never understand life. White-livered indifference is always disgusted and annoyed by earnest conviction. Protestants criticized Luther in the same way. It took three centuries to carry us far off enough to appreciate his colossal proportions. It is a hundred years to-day since O'Connell was born. It will take another hundred to put us at such an angle as will enable us correctly to measure his stature. Premising that it would be folly to find fault with a man struggling for life because his attitudes were ungraceful, remembering the Scythian King's answer to Alexander, criticizing his strange weapon,—"If you knew how precious freedom was, you would defend it even with axes,"—we must see that O'Connell's own explanation is evidently sincere and true. He found the Irish heart so cowed, and Englishmen so arrogant. that he saw it needed an independence verging on insolence, a defiance that touched extremest limits, to breathe self-respect into his own race, teach the aggressor manners, and sober him into respectful attention.

It was the same with us Abolitionists. Webster had taught the North the bated breath and crouching of a slave. It needed with us an attitude of independence that was almost insolent, it needed that we should exhaust even the Saxon vocabulary of scorn, to fitly utter the righteous and haughty contempt that honest men had for man-stealers. Only in that way could we wake the North to self-respect, or teach the South that at length she had met her equal, if not her master. On a broad canvas, meant for the public square, the tiny lines of a Dutch interior would be invisible. In no other circumstances was the French maxim, "You can never make a revolution with rose-

water," more profoundly true. The world has hardly yet learned how deep a philosophy lies hid in Hamlet's

"Nay, an thou'lt mouth,
I'll rant as well as thou."

O'Connell has been charged with insincerity in urging repeal, and those who defended his sincerity have leaned toward allowing that it proved his lack of common sense. I think both critics mistaken. His earliest speeches point to repeal as his ultimate object; indeed, he valued emancipation largely as a means to that end. No fair view of his whole life will leave the slightest ground to doubt his sincerity. As for the reasonableness and necessity of the measure, I think every year proves them. Considering O'Connell's position, I wholly sympathize in his profound and unshaken loyalty to the empire. Its share in the British empire makes Ireland's strength and importance. Standing alone among the vast and massive sovereignties of Europe, she would be weak, insignificant, and helpless. Were I an Irishman I should cling to the empire.

Fifty or sixty years hence, when scorn of race has vanished, and bigotry is lessened, it may be possible for Ireland to be safe and free while holding the position to England that Scotland does. But during this generation and the next, O'Connell was wise in claiming that Ireland's rights would never be safe without "home rule." A substantial repeal of the union should be every Irishman's earnest aim. Were I their adviser, I should constantly repeat what Grattan said in 1810, "The best advice, gentlemen, I can give on all occasions is, 'Keep knocking at the union.'"

We imagine an Irishman to be only a zealot on fire. We fancy Irish spirit and eloquence to be only blind, reckless, headlong enthusiasm. But, in truth, Grattan was the soberest leader of his day, holding scrupulously back the disorderly elements, which fretted under his curb. There was one hour, at least, when a word from him would have lighted a democratic revolt throughout the empire. And the most remarkable of O'Connell's gifts was neither his eloquence nor his sagacity: it was his patience—"patience, all the passion of great souls"; the tireless patience which, from 1800 to 1820, went from town to town, little aided by the press, to plant the seeds of an intelligent and united, as well as hot patriotism. Then, after many years and long toil, waiting for rivals to be just, for prejudice to wear out, and for narrowness to grow wise, using British folly and oppression as his wand, he molded the enthusiasm of the most excitable of races, the just and inevitable indignation of four millions of Catholics, the hate of plundered

poverty, priest, noble, and peasant, into one fierce though harmonious mass. He held it in careful check, with sober moderation, watching every opportunity, attracting ally after ally, never forfeiting any possible friendship, allowing no provocation to stir him to anything that would not help his cause, compelling each hottest and most ignorant of his followers to remember that "he who commits a crime helps the enemy." At last, when the hour struck, this power was made to achieve justice for itself, and put him in London,—him, this despised Irishman, this hated Catholic, this mere demagogue and man of words, *him*,—to hold the Tory party in one hand, and the Whig party in the other; all this without shedding a drop of blood, or disturbing for a moment the peace of the empire.

While O'Connell held Ireland in his hand, her people were more orderly, law-abiding, and peaceful than for a century before, or during any year since. The strength of this marvelous control passes comprehension. Out West I met an Irishman whose father held him up to see O'Connell address the two hundred thousand men at Tara—literally to *see*, not to hear him. I said, "But you could not all hear even his voice." "Oh, no, sir! Only about thirty thousand could hear him; but we all kept as still and silent as if we did." With magnanimous frankness O'Connell once said, "I never could have held those monster meetings without a crime, without disorder, tumult, or quarrel, except for Father Mathew's aid" Any man can build a furnace, and turn water into steam—yes, if careless, make it rend his dwelling in pieces. Genius builds the locomotive, harnesses this terrible power in iron traces, holds it with master hand in useful limits, and gives it to the peaceable service of man. The Irish people were O'Connell's locomotive; sagacious patience and moderation the genius that built it; Parliament and justice the station he reached.

Everyone who has studied O'Connell's life sees his marked likeness to Luther—the unity of both their lives; their wit; the same massive strength, even if coarse-grained; the ease with which each reached the masses, the power with which they wielded them; the same unrivaled eloquence, fit for any audience; the same instinct of genius that led them constantly to acts which, as Voltaire said, "Foolish men call rash, but wisdom sees to be brave"; the same broad success. But O'Connell had one great element which Luther lacked—the universality of his sympathy; the far-reaching sagacity which discerned truth afar off, just struggling above the horizon; the loyal, brave, and frank spirit which acknowledged and served it; the profound and rare faith which believed that "the whole truth can never do harm to the whole of virtue." From the serene height of intellect and judgment to which God's

gifts had lifted him, he saw clearly that no one right was ever in the way of another, that injustice harms the wrong-doer even more than the victim, that whoever puts a chain on another fastens it also on himself. Serenely confident that the truth is always safe, and justice always expedient, he saw that intolerance is only want of faith. He who stifles free discussion secretly doubts whether what he professes to believe is really true. Coleridge says, "See how triumphant in debate and notion O'Connell is! Why? Because he asserts a broad principle, acts up to it, rests his body on it, and has faith in it."

Coworker with Father Mathew; champion of the Dissenters; advocating the substantial principles of the Charter, though not a Chartist; foe of the corn-laws; battling against slavery, whether in India or the Carolinas; the great democrat who in Europe seventy years ago called the people to his side; starting a movement of the people, for the people, by the people—show me another record as broad and brave as this in the European history of our century. Where is the English statesman, where the Irish leader, who can claim one? No wonder every Englishman hated and feared him! He wounded their prejudices at every point. Whig and Tory, timid Liberal, narrow Dissenter, bitter Radical—all feared and hated this broad brave soul, who dared to follow the Truth wherever he saw her, whose toleration was as broad as human nature, and his sympathy as boundless as the sea.

To show you that he never took a leaf from our American gospel of compromise; that he never filed his tongue to silence on one truth fancying so to help another; that he never sacrificed any race to save even Ireland—let me compare him with Kossuth, whose only merits were his eloquence and his patriotism. When Kossuth was in Faneuil Hall, he exclaimed, "Here is a flag without a stain, a nation without a crime!" We Abolitionists appealed to him, "O eloquent son of the Magyar, come to break chains! have you no word, no pulse-beat, for four millions of negroes bending under a yoke ten times heavier than that of Hungary?" He answered, "I would forget anybody, I would praise anything, to help Hungary."

O'Connell never said anything like that. When I was in Naples, I asked Sir Thomas Fowell Buxton, a Tory, "Is O'Connell an honest man?" "As honest a man as ever breathed," said he, and then told me this story: "When, in 1830, O'Connell entered Parliament, the anti-slavery cause was so weak that it had only Lushington and myself to speak for it; and we agreed that when he spoke I should cheer him, and when I spoke he should cheer me; and these were the only cheers we ever got. O'Connell came, with one Irish member to support him. A large number of members [I think Buxton said twenty-seven] whom

we called the West-India interest, the Bristol party, the slave party, went to him, saying, 'O'Connell, at last you are in the House, with one helper. If you will never go down to Freemasons' Hall with Buxton and Brougham, here are twenty-seven votes for you on every Irish question. If you work with those Abolitionists, count us always against you.'"

It was a terrible temptation. How many a so-called statesman would have yielded! O'Connell said, "Gentlemen, God knows I speak for the saddest people the sun sees; but may my right hand forget its cunning, and my tongue cleave to the roof of my mouth, if to save Ireland, even Ireland, I forget the negro one single hour!" "From that day," said Buxton, "Lushington and I never went into the lobby that O'Connell did not follow us."

Some years afterward I went into Conciliation Hall, where O'Connell was arguing for repeal. He lifted from the table a thousand-pound note sent them from New Orleans, and said to be from the slave-holders of that city. Coming to the front of the platform he said: "This is a draft of one thousand pounds from the slave-holders of New Orleans, the unpaid wages of the negro. Mr. Treasurer, I suppose the treasury is empty?" The treasurer nodded to show him that it was, and he went on: "Old Ireland is very poor; but thank God she is not poor enough to take the unpaid wages of anybody. Send it back." A gentleman from Boston went to him with a letter of introduction which he sent up to him at his house in Merrion Square. O'Connell came down to the door, as was his wont, put out both his hands, and drew him into his library. "I am glad to see you," said he; "I am always glad to see anybody from Massachusetts, a free State." "But," said the guest, "this is slavery you allude to, Mr. O'Connell. I would like to say a word to you in justification of that institution." "Very well, sir—free speech in this house; say anything you please. But before you begin to defend a man's right to own his own brother, allow me to step out and lock up my spoons."

That was the man. The ocean of his philanthropy knew no shore.

And right in this connection, let me read the following dispatch:

CINCINNATI, O., August 6.

WENDELL PHILLIPS, BOSTON:

The national conference of colored newspaper-men to the O'Connell Celebration, greeting:

Resolved, That it is befitting a convention of colored men assembled on the centennial anniversary of the birth of the liberator of Ireland and friend of humanity, Daniel O'Connell, to recall with gratitude his eloquent and effective

pleas for the freedom of our race; and we earnestly commend his example to our countrymen.

J. C. Jackson, *Secretary.*
Peter H. Clark, *President.*
George T. Ruby.
Lewis D. Easton.

Learn of him, friends, the hardest lesson we ever have set us—that of toleration. The foremost Catholic of his age, the most stalwart champion of the Church, he was also broadly and sincerely tolerant of every faith. His toleration had no limit and no qualification.

I scorn and scout the word "toleration"; it is an insolent term. No man, properly speaking, tolerates another. I do not tolerate a Catholic, neither does he tolerate me. We are equal, and acknowledge each other's right; that is the correct statement.

That every man should be allowed freely to worship God according to his conscience, that no man's civil rights should be affected by his religious creed, were both cardinal principles of O'Connell. He had no fear that any doctrine of his faith could be endangered by the freest possible discussion.

Learn of him, also sympathy with every race and every form of oppression. No matter who was the sufferer, or what the form of injustice—starving Yorkshire peasant, imprisoned Chartist, persecuted Protestant, or negro slave; no matter of what right, personal or civil, the victim had been robbed; no matter what religious pretext or political juggle alleged "necessity" as an excuse for his oppression; no matter with what solemnities he had been devoted on the altar of slavery,—the moment O'Connell saw him, the altar and the god sank together in the dust, the victim was acknowledged a man and a brother, equal in all rights, and entitled to all the aid the great Irishman could give him.

I have no time to speak of his marvelous success at the bar; of that profound skill in the law which enabled him to conduct such an agitation, always on the verge of illegality and violence, without once subjecting himself or his followers to legal penalty—an agitation under a code of which Brougham said, "No Catholic could lift his hand under it without breaking the law." I have no time to speak of his still more remarkable success in the House of Commons. Of Flood's failure there Grattan had said, "He was an oak of the forest, too old and too great to be transplanted at fifty." Grattan's own success there was but moderate. The power O'Connell wielded against varied, bitter, and unscrupulous opposition was marvelous. I have no time to speak of his personal independence, his deliberate courage, moral and physical, his unspotted private character, his unfailing hope, the versatility of his

talent, his power of tireless work, his ingenuity and boundless resource, his matchless self-possession in every emergency, his ready and inexhaustible wit; but any reference to O'Connell that omitted his eloquence would be painting Wellington in the House of Lords without mention of Torres Vedras or Waterloo.

Broadly considered, his eloquence has never been equaled in modern times, certainly not in English speech. Do you think I am partial? I will vouch John Randolph of Roanoke, the Virginia slave-holder, who hated an Irishman almost as much as he hated a Yankee, himself an orator of no mean level. Hearing O'Connell, he exclaimed, "This is the man, these are the lips, the most eloquent that speak English in my day." I think he was right. I remember the solemnity of Webster, the grace of Everett, the rhetoric of Choate; I know the eloquence that lay hid in the iron logic of Calhoun; I have melted beneath the magnetism of Seargeant S. Prentiss of Mississippi, who wielded a power few men ever had. It has been my fortune to sit at the feet of the great speakers of the English tongue on the other side of the ocean. But I think all of them together never surpassed, and no one of them ever equaled O'Connell. Nature intended him for our Demosthenes. Never since the great Greek has she sent forth anyone so lavishly gifted for his work as a tribune of the people. In the first place, he had a magnificent presence, impressive in bearing, massive like that of Jupiter. Webster himself hardly outdid him in the majesty of his proportions. To be sure, he had not Webster's craggy face, and precipice of brow, nor his eyes glowing like anthracite coal; nor had he the lion roar of Mirabeau. But his presence filled the eye. A small O'Connell would hardly have been an O'Connell at all. These physical advantages are half the battle.

I remember Russell Lowell telling us that Mr. Webster came home from Washington at the time the Whig party thought of dissolution a year or two before his death, and went down to Faneuil Hall to protest; drawing himself up to his loftiest proportion, his brow clothed with thunder, before the listening thousands, he said, "Well, gentleman, I am a Whig, a Massachusetts Whig, a Faneuil-Hall Whig, a revolutionary Whig, a constitutional Whig. If you break the Whig party, sir, where am I to go?" And says Lowell, "We held our breath, thinking where he *could* go. If he had been five feet three, we should have said, 'Who cares where you go?" So it was with O'Connell. There was something majestic in his presence before he spoke; and he added to it what Webster had not, what Clay might have lent—infinite grace, that magnetism that melts all hearts into one. I saw him at over sixty-six years of age; every attitude was beauty, every gesture grace. You could only think of a greyhound as you looked at him; it would have been de-

licious to have watched him, if he had not spoken a word. Then he had a voice that covered the gamut. The majesty of his indignation, fitly uttered in tones of superhuman power, made him able to "indict" a nation, in spite of Burke's protest.

I heard him once say, "I send my voice across the Atlantic, careering like the thunderstorm against the breeze, to tell the slave-holder of the Carolinas that God's thunderbolts are hot, and to remind the bondman that the dawn of his redemption is already breaking." You seemed to hear the tones come echoing back to London from the Rocky Mountains. Then, with the slightest possible Irish brogue, he would tell a story, while all Exeter Hall shook with laughter. The next moment, tears in his voice like a Scotch song, five thousand men wept. And all the whole no effort. He seemed only breathing.

"As effortless as woodland nooks
Send violets up, and paint them blue."

We used to say of Webster, "This is a great effort"; of Everett, "It is a beautiful effort"; but you never used the word "effort" in speaking of O'Connell. It provoked you that he would not make an effort. I heard him perhaps a score of times, and I do not think more than three times he ever lifted himself to the full sweep of his power.

And this wonderful power, it was not a thunderstorm: he flanked you with his wit, he surprised you out of yourself; you were conquered before you knew it. He was once summoned to court out of the hunting-field, when a young friend of his of humble birth was on trial for his life. The evidence gathered around a hat found by the body of the murdered man, which was recognized as the hat of the prisoner. The lawyers tried to break down the evidence, confuse the testimony, and get some relief from the directness of the circumstances; but in vain, until at last they called for O'Connell. He came in, flung his riding-whip and hat on the table, was told the circumstances, and taking up the hat said to the witness, "Whose hat is this?" "Well, Mr. O'Connell, that is Mike's hat." "How do you know it?" "I will swear to it, sir." "And did you really find it by the murdered man?" "I did that, sir." "But you're not ready to swear that?" "I am, indeed, Mr. O'Connell." "Pat, do you know what hangs on your word? A human soul. And with that dread burden, are you ready to tell this jury that the hat, to your certain knowledge, belongs to the prisoner?" "Y-yes, Mr. O'Connell; yes, I am."

O'Connell takes the hat to the nearest window, and peers into it—"J-a-m-e-s, James. Now, Pat, did you see that name in the hat?"

"I did, Mr. O'Connell." "You knew it was there?" "Yes, sir; I read it after I picked it up." "No name in the hat, your Honor."

So again in the House of Commons. When he took his seat in the House of 1830, the London *Times* visited him with its constant indignation, reported his speeches awry, turned them inside out, and made nonsense of them; treated him as the New York *Herald* used to treat us Abolitionists twenty years ago. So one morning he rose and said, "Mr. Speaker, you know I have never opened my lips in this house, and I expended twenty years of hard work in getting the right to enter it—I have never lifted my voice in this House, but in behalf of the saddest people the sun shines on. Is it fair play, Mr. Speaker, is it what you call 'English fair play,' that the press of this city will not let my voice be heard?" The next day the *Times* sent him word that, as he found fault with their manner of reporting him, they never would report him at all, they never would print his name in their parliamentary columns. So the next day when prayers were ended, O'Connell rose. Those reporters of the *Times* who were in the gallery rose also, ostentatiously put away their pencils, folded their arms, and made all the show they could, to let everybody know how it was. Well, you know, nobody has any right to be in the gallery during the session, and if any member notices them, the mere notice clears the gallery; only the reporters can stay after that notice. O'Connell rose. One of the members said, "Before the member from Clare opens his speech, let me call his attention to the gallery and the instance of that 'passive resistance' which he is about to preach." "Thank you," said O'Connell: "Mr. Speaker, I observe strangers in the gallery." Of course they left; of course the next day, in the columns of the London *Times,* there were no parliamentary debates. And for the first time, except in Richard Cobden's case, the London *Times* cried for quarter, and said to O'Connell, "If you give up the quarrel, we will."

Later down, when he was advocating the repeal of the land law, when forty or fifty thousand people were gathered at the meeting, O'Connell was sitting at the breakfast-table. The London *Times* for that year had absolutely disgraced itself,—and that is saying a great deal,—and its reporters, if recognized, would have been torn to pieces. So, as O'Connell was breakfasting, the door opened, and two or three English reporters—Gurney and, among others, our well-known friend Russell, of Bull Run notoriety—entered the room and said, "Mr. O'Connell, we are the reporters of the *Times.*" "And," said Russell, "we dared not enter that crowd."

"Shouldn't think you would," replied O'Connell. "Have you had any breakfast?"

"No, sir," said he; "we hardly dared to ask for any."

"Shouldn't think you would," answered O'Connell; "sit down here." So they shared his breakfast. Then he took Bull Run in his own carriage to the place of meeting, sent for a table and seated him by the platform, and asked him whether he had his pencils well sharpened and had plenty of paper, as he intended to make a long speech. Bull Run answered, "Yes." And O'Connell stood up, and addressed the audience in Irish.

His marvelous voice, its almost incredible power and sweetness, Bulwer has well described:

> "Once to my sight that giant form was given,
> Walled by wide air, and roofed by boundless heaven.
> Beneath his feet the human ocean lay,
> And wave on wave rolled into space away.
> Methought no clarion could have sent its sound
> Even to the center of the hosts around;
> And, as I thought, rose the sonorous swell,
> As from some church-tower swings the silvery bell.
> Aloft and clear, from airy tide to tide
> It glided, easy as a bird may glide;
> Even to the verge of that vast audience sent,
> It played with each wild passion as it went,—
> Now stirred the uproar, now the murmur stilled,
> And sobs or laughter answered as it willed."

Webster could awe a senate, Everett could charm a college, and Choate could cheat a jury; Clay could magnetize the million, and Corwin led them captive. O'Connell was Clay, Corwin, Choate, Everett, and Webster in one. Before the courts, logic; at the bar of the senate, unanswerable and dignified; on the platform, grace, wit, pathos; before the masses, a whole man. Carlyle says, "He is God's own anointed king whose single word melts all wills into his." This describes O'Connell. Emerson says, "There is no true eloquence, unless there is a man behind the speech." Daniel O'Connell was listened to because all England and all Ireland knew that there was a man behind the speech—one who could be neither bought, bullied, nor cheated. He held the masses free but willing subjects in his hand.

He owed this power to the courage that met every new question frankly, and concealed none of his convictions; to an entireness of devotion that made the people feel he was all their own; to a masterly brain that made them sure they were always safe in his hands. Behind them were ages of bloodshed: every rising had ended at the scaffold; even Grattan brought them to 1798. O'Connell said, "Follow me: put your

feet where mine have trod, and a sheriff shall never lay hand on your shoulder." And the great lawyer kept his pledge.

This unmatched, long-continued power almost passes belief. You can only appreciate it by comparison. Let me carry you back to the mob-year of 1835, in this country, when the Abolitionists were hunted; when the streets roared with riot; when from Boston to Baltimore, from St. Louis to Philadelphia, a mob took possession of every city; when private houses were invaded and public halls were burned; press after press was thrown into the river; and Lovejoy baptized freedom with his blood. You remember it. Respectable journals warned the mob that they were playing into the hands of the Abolitionists. Webster and Clay and the staff of Whig statesmen told the people that the truth floated farther on the shouts of the mob than the most eloquent lips could carry it. But law-abiding, Protestant, educated America could not be held back. Neither Whig chief nor respectable journals could keep these people quiet. Go to England. When the Reform Bill of 1831 was thrown out from the House of Lords, the people were tumultuous; and Melbourne and Grey, Russell and Brougham, Lansdowne, Holland, and Macaulay, the Whig chiefs, cried out, "Don't violate the law: you help the Tories! Riots put back the bill." But quiet, sober John Bull, law-abiding, could not do without it. Birmingham was three days in the hands of a mob; castles were burned; Wellington ordered the Scots Greys to rough-grind their swords as at Waterloo. This was the Whig aristocracy of England. O'Connell had neither office nor title. Behind him were three million people steeped in utter wretchedness, sore with the oppression of centuries, ignored by statute.

For thirty restless and turbulent years he stood in front of them, and said, "Remember, he that commits a crime helps the enemy." And during that long and fearful struggle, I do not remember one of his followers ever being convicted of a political offense, and during this period crimes of violence were very rare. There is no such record in our history. Neither in classic nor in modern times can the man be produced who held a million of people in his right hand so passive. It was due to the consistency and unity of a character that had hardly a flaw. I do not forget your soldiers, orators, or poets—any of your leaders. But when I consider O'Connell's personal disinterestedness,—his rare, brave fidelity to every cause his principles covered, no matter how unpopular, or how embarrassing to his main purpose,—that clear, far-reaching vision, and true heart which, on most moral and political questions, set him so much ahead of his times; his eloquence, almost equally effective in the courts, in the senate, and before the masses; that sagacity which set at naught the malignant vigilance of the whole imperial bar,

watching thirty years for a misstep; when I remember that he invented his tools, and then measure his limited means with his vast success, bearing in mind its nature; when I see the sobriety and moderation with which he used his measureless power, and the lofty, generous purpose of his whole life,—I am ready to affirm that he was, all things considered, the greatest man the Irish race ever produced.

§ 25

AT HIS BROTHER'S GRAVE

By Robert G. Ingersoll

(Read at the funeral of E. C. Ingersoll, in Washington, June 2, 1879.)

My Friends: I am going to do that which the dead often promised he would do for me. The loved and loving brother, husband, father, friend died where manhood's morning almost touches noon, and while the shadows still were falling toward the west. He had not passed on life's highway the stone that marks the highest point, but being weary for the moment he laid down by the wayside, and, using a burden for a pillow, fell into that dreamless sleep that kisses down his eyelids still. While yet in love with life and raptured with the world, he passed to silence and pathetic dust. Yet, after all, it may be best, just in the happiest, sunniest hour of all the voyage, while eager winds are kissing every sail, to dash against the unseen rock, and in an instant hear the billows roar, a sunken ship. For whether in mid sea or among the breakers of the farther shore, a wreck must mark at last the end of each and all. And every life, no matter if its every hour is rich with love and every moment jeweled with a joy, will, to its close, become a tragedy, as sad, and deep, and dark as can be woven of the warp and woof of mystery and death. This brave and tender man in every storm of life was oak and rock, but in the sunshine he was love and flower. He was the friend of all heroic souls that climbed the heights and left all superstitions here below, while on his forehead fell the golden dawning of a grander day. He loved the beautiful, and was with color, form and music touched to tears. He sided with the weak, and with a willing hand gave alms; with loyal heart and with the purest hand he faithfully discharged all public trusts. He was a worshiper of liberty

Robert Green Ingersoll. Born at Dresden, N. Y., August 11, 1833; died at Dobbs Ferry, N. Y., July 21, 1899; practised law in Peoria, Ill.; entered the Federal Army in 1862 as a Colonel; in 1866 Attorney General of Illinois; later practised law in Washington, D. C., and in New York City.

and a friend of the oppressed. A thousand times I have heard him quote the words: "For justice, all place a temple and all season summer." He believed that happiness was the only good, reason the only torch, justice the only worshiper, humanity the only religion and love the priest. He added to the sum of human joy, and were everyone for whom he did some loving service to bring a blossom to his grave he would sleep to-night beneath a wilderness of flowers. Life is a narrow vale between the cold and barren peaks of two eternities. We strive in vain to look beyond the heights. We cry aloud, and the only answer is the echo of a wailing cry. From the voiceless lips of the unreplying dead there comes no word; but in the night of death hope sees a star and listening love can hear the rustle of a wing. He who sleeps here, when dying, mistaking the approach of death for the return of health, whispered with his latest breath, "I am better now." Let us believe, in spite of doubts and dogmas and tears and fears, that these dear words are true of all the countless dead. And now, to you who have been chosen from among the many men he loved to do the last sad office for the dead, we give his sacred trust. Speech cannot contain our love. There was—there is—no gentler, stronger, manlier man.

§ 26

THE MEMORY OF BURNS

By Ralph Waldo Emerson

(Speech at the festival of the Boston Burns Club, at the Parker House, Boston, Mass., January 25, 1859, commemorating the hundredth anniversary of the birth of Burns.)

Mr. President and Gentlemen: I do not know by what untoward accident it has chanced—and I forbear to inquire—that, in this accomplished circle, it should fall to me, the worst Scotsman of all, to receive your commands, and at the latest hour, too, to respond to the sentiment just offered, and which, indeed, makes the occasion. But I am told there is no appeal, and I must trust to the inspiration of the theme to make a fitness which does not otherwise exist.

Yet, sir, I heartily feel the singular claims of the occasion. At the first announcement, from I know not whence, that the twenty-fifth of

Ralph Waldo Emerson. Born at Boston, Mass., May 25, 1803; died at Concord, Mass., April 27, 1882; graduated from Harvard, 1821; studied at the Divinity School and for a short time was minister of the Second Unitarian Church in Boston.

January was the hundredth anniversary of the birth of Robert Burns, a sudden consent warned the great English race, in all its kingdoms, colonies and states, all over the world, to keep the festival. We are here to hold our parliament with love and poesy, as men were wont to do in the Middle Ages. Those famous parliaments might or might not have had more stateliness, and better singers than we—though that is yet to be known—but they could not have better reason.

I can only explain this singular unanimity in a race which rarely acts together—but rather after their watchword, each for himself—by the fact that Robert Burns, the poet of the middle class, represents in the mind of men to-day that great uprising of the middle class against the armed and privileged minorities—that uprising which worked politically in the American and French Revolutions, and which, not in governments so much as in education and in social order, has changed the face of the world. In order for this destiny, his birth, breeding and fortune were low. His organic sentiment was absolute independence, and resting, as it should, on a life of labor. No man existed who could look down on him. They that looked into his eyes saw that they might look down the sky as easily. His muse and teaching was common sense, joyful, aggressive, irresistible. Not Latimer, nor Luther, struck more telling blows against false theology than did this brave singer. The "Confession of Augsburg," the "Declaration of Independence," the French "Rights of Man," and the "Marseillaise," are not more weighty documents in the history of freedom than the songs of Burns. His satire has lost none of its edge. His musical arrows yet sing through the air. He is so substantially a reformer, that I find his grand, plain sense in close chain with the greatest masters—Rabelais, Shakespeare in comedy, Cervantes, Butler, and Burns. If I should add another name, I find it only in a living countryman of Burns. He is an exceptional genius. The people who care nothing for literature and poetry care for Burns. It was indifferent—they thought who saw him—whether he wrote verse or not; he could have done anything else as well.

Yet how true a poet is he! And the poet, too, of poor men, of hodden-gray, and the Guernsey-coat, and the blouse. He has given voice to all the experiences of common life; he has endeared the farmhouse and cottage, patches and poverty, beans and barley; ale, the poor man's wine; hardship, the fear of debt, the dear society of weans and wife, of brothers and sisters, proud of each other, knowing so few, and finding amends for want and obscurity in books and thought. What a love of nature! and—shall I say it?—of middle-class nature. Not great, like Goethe, in the stars, or like Byron, on the ocean, or Moore, in the luxurious East, but in the homely landscape which the poor see around them

—bleak leagues of pasture and stubble, ice, and sleet, and rain, and snow-choked brooks; birds, hares, field-mice, thistles, and heather, which he daily knew. How many "Bonny Doons," and "John Anderson my Joes," and "Auld Lang Synes," all around the earth, have his verses been applied to! And his love songs still woo and melt the youths and maids; the farm work, the country holiday, the fishing cobble, are still his debtors to-day.

And, as he was thus the poet of the poor, anxious, cheerful, working humanity, so had he the language of low life. He grew up in a rural district, speaking a patois unintelligible to all but natives, and he has made that Lowland Scotch a Doric dialect of fame. It is the only example in history of a language made classic by the genius of a single man. But more than this. He had that secret of genius to draw from the bottom of society the strength of its speech, and astonish the ears of the polite with these artless words, better than art, and filtered of all offense through his beauty. It seemed odious to Luther that the devil should have all the best tunes; he would bring them into the churches; and Burns knew how to take from fairs and gipsies, blacksmiths and drovers, the speech of the market and street, and clothe it with melody.

But I am detaining you too long. The memory of Burns—I am afraid heaven and earth have taken too good care of it to leave us anything to say. The west winds are murmuring it. Open the windows behind you, and hearken for the incoming tide, what the waves say of it. The doves, perching always on the eaves of the Stone Chapel [King's Chapel] opposite, may know something about it. Every home in broad Scotland keeps his fame bright. The memory of Burns—every man's, and boy's, and girl's head carries snatches of his songs, and can say them by heart, and, what is strangest of all, never learned them from a book, but from mouth to mouth. The wind whispers them, the birds whistle them, the corn, barley, and bulrushes hoarsely rustle them; nay, the music-boxes at Geneva are framed and toothed to play them; the hand-organs of the Savoyards in all cities repeat them, and the chimes of bells ring them in the spires. They are the property and the solace of mankind. [Cheers.]

CHAPTER V

NOMINATING SPEECHES

§ 27

BLAINE, THE PLUMED KNIGHT

By Robert G. Ingersoll

(Speech nominating Blaine for President in the Republican National Convention at Cincinnati, June 15, 1876.)

Massachusetts may be satisfied with the loyalty of Benjamin H. Bristow; so am I; but if any man nominated by this convention cannot carry the State of Massachusetts, I am not satisfied with the loyalty of that State. If the nominee of this convention cannot carry the grand old Commonwealth of Massachusetts by seventy-five thousand majority, I would advise them to sell out Faneuil Hall as a Democratic headquarters. I would advise them to take from Bunker Hill that old monument of glory.

The Republicans of the United States demand as their leader in the great contest of 1876 a man of intelligence, a man of integrity, a man of well-known and approved political opinions. They demand a statesman; they demand a reformer after, as well as before, the election. They demand a politician in the highest, broadest, and best sense—a man of superb moral courage. They demand a man acquainted with public affairs—with the wants of the people—with not only the requirements of the hour, but with the demands of the future. They demand a man broad enough to comprehend the relations of this government to the other nations of the earth. They demand a man well versed in the powers, duties, and prerogatives of each and every department of this Government. They demand a man who will sacredly preserve the financial honor of the United States—one who knows enough to know that the national debt must be paid through the prosperity of this people; one who knows enough to know that all the financial theories in the world cannot redeem a single dollar; one who knows enough to know

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that all the money must be made, not by law, but by labor; one who knows enough to know that the people of the United States have the industry to make the money and the honor to pay it over just as fast as they make it.

The Republicans of the United States demand a man who knows that prosperity and resumption, when they come, must come together; that when they come they will come hand in hand through the golden harvest fields; hand in hand by the whirling spindles and turning wheels; hand in hand past the open furnace doors; hand in hand by the flaming forges; hand in hand by the chimneys filled with eager fire—greeted and grasped by the countless sons of toil.

This money has to be dug out of the earth. You cannot make it by passing resolutions in a political convention.

The Republicans of the United States want a man who knows that this Government should protect every citizen at home and abroad; who knows that any government that will not defend its defenders and protect its protectors is a disgrace to the map of the world. They demand a man who believes in the eternal separation and divorcement of church and school. They demand a man whose political reputation is spotless as a star; but they do not demand that their candidate shall have a certificate of moral character signed by a Confederate Congress. The man who has in full, heaped and rounded measure, all these splendid qualifications is the present grand and gallant leader of the Republican party—James G. Blaine.

Our country, crowned with the vast and marvelous achievements of its first century, asks for a man worthy of the past and prophetic of her future; asks for a man who has the audacity of genius; asks for a man who is the grandest combination of heart, conscience, and brain beneath her flag. Such a man is James G. Blaine.

For the Republican host, led by this intrepid man, there can be no defeat.

This a grand year; a year filled with the recollections of the Revolution, filled with proud and tender memories of the past, with the sacred legends of liberty; a year in which the sons of freedom will drink from the fountains of enthusiasm; a year in which the people call for a man who has preserved in Congress what our soldiers won upon the field; a year in which we call for the man who has torn from the throat of treason the tongue of slander—for the man who has snatched the mask of Democracy from the hideous face of Rebellion—for the man who, like an intellectual athlete, has stood in the arena of debate and challenged all comers, and who, up to the present moment, is a total stranger to defeat.

Like an armed warrior, like a plumed knight, James G. Blaine marched down the halls of the American Congress and threw his shining lance full and fair against the brazen foreheads of the defamers of his country and the maligners of his honor. For the Republicans to desert this gallant leader now is as though an army should desert their General upon the field of battle.

James G. Blaine is now, and has been for years, the bearer of the sacred standard of the Republican party. I call it sacred, because no human being can stand beneath its folds without becoming and without remaining free.

Gentlemen of the convention, in the name of the great republic, the only republic that ever existed upon this earth; in the name of all her defenders and of all her supporters; in the name of all her soldiers living; in the name of all her soldiers dead upon the field of battle; and in the name of those who perished in the skeleton clutch of famine at Andersonville and Libby, whose sufferings he so vividly remembers, Illinois—Illinois nominates for the next President of this country that prince of parliamentarians, that leader of leaders, James G. Blaine.

§ 28

NOMINATING GENERAL GRANT FOR A THIRD TERM

By Roscoe Conkling

(Delivered in the National Republican Convention at Chicago, June, 1880.)

When asked whence comes our candidates, we say from Appomattox. Obeying instructions I should never dare to disregard, expressing, also, my own firm convictions, I rise in behalf of the State of New York to propose a nomination with which the country and the Republican party can grandly win. The election before us will be the Austerlitz of American politics. It will decide whether for years to come the country will be "Republican or Cossack." The need of the hour is a candidate who can carry the doubtful States, North and South; and believing that he more surely than any other can carry New York against any opponent, and carry not only the North, but several States of the South, New York is for Ulysses S. Grant. He alone of living Republicans has carried New York as a presidential candidate. Once he carried

Roscoe Conkling. Born in Albany, N. Y., October 30, 1829; died in New York, April 18, 1888; admitted to the bar in 1850; in 1859 entered Congress; United States Senator from New York, 1867-1881.

it even according to a Democratic count, and twice he carried it by the people's vote, and he is stronger now. The Republican party with its standard in his hand is stronger now that in 1868 or 1872. Never defeated in war or in peace, his name is the most illustrious borne by any living man; his services attest his greatness, and the country knows them by heart. His fame was born not alone of things written and said, but of the arduous greatness of things done, and dangers and emergencies will search in vain in the future, as they have searched in vain in the past, for any other on whom the nation leans with such confidence and trust. Standing on the highest eminence of human distinction, and having filled all lands with his renown, modest, firm, simple, and self-poised, he has seen not only the titled but the poor and the lowly in the utmost ends of the world rise and uncover before him. He has studied the needs and defects of many systems of government, and he comes back a better American than ever, with a wealth of knowledge and experience added to the hard common sense which so conspicuously distinguished him in all the fierce light that beat upon him throughout the most eventful, trying, and perilous sixteen years of the nation's history.

Never having had "a policy to enforce against the will of the people," he never betrayed a cause or a friend, and the people will never betray or desert him. Vilified and reviled, truthlessly aspersed by numberless presses, not in other lands, but in his own, the assaults upon him have strengthened and seasoned his hold upon the public heart. The ammunition of calumny has all been exploded; the powder has all been burned once, its force is spent, and General Grant's name will glitter as a bright and imperishable star in the diadem of the Republic when those who have tried to tarnish it will have moldered in forgotten graves and their memories and epitaphs have vanished utterly.

Never elated by success, never depressed by adversity, he has ever in peace as in war shown the very genius of common sense. The terms he prescribed for Lee's surrender foreshadowed the wisest principles and prophecies of true reconstruction.

Victor in the greatest of modern wars, he quickly signalized his aversion to war and his love of peace by an arbitration of international disputes which stands as the wisest and most majestic example of its kind in the world's diplomacy. When inflation, at the height of its popularity and frenzy, had swept both houses of Congress, it was the veto of Grant which, single and alone, overthrew expansion and cleared the way for specie resumption. To him, immeasurably more than to any other man, is due the fact that every paper dollar is as good as gold. With him as our leader we shall have no defensive campaign, no

apologies or explanations to make. The shafts and arrows have all been aimed at him and lie broken and harmless at his feet. Life, liberty, and property will find a safeguard in him. When he said to the black man in Florida, "Wherever I am they may come also," he meant that, had he the power to help it, the poor dwellers in the cabins of the South should not be driven in terror from the homes of their childhood and the graves of their murdered dead. When he refused to receive Denis Kearney he meant that the lawlessness and communism, although it should dictate laws to a whole city, would everywhere meet a foe in him, and, popular or unpopular, he will hew to the line of right, let the chips fly where they may.

His integrity, his common-sense, his courage, and his unequaled experience are the qualities offered to his country. The only argument against accepting them would amaze Solomon. He thought there could be nothing new under the sun. Having tried Grant twice and found him faithful, we are told we must not, even after an interval of years, trust him again. What stultification does not such a fallacy involve? The American people exclude Jefferson Davis from public trust. Why? Because he was the arch traitor and would be a destroyer. And now the same people are asked to ostracize Grant and not trust him. Why? Because he was the arch preserver of his country; because, not only in war, but afterward, twice as a civic magistrate, he gave his highest, noblest efforts to the Republic. (Is such absurdity an electioneering jugglery or hypocrisy's masquerade?)

There is no field of human activity, responsibility, or reason in which rational beings object to Grant because he has been weighed in the balance and not found wanting, and because he has had unequaled experience, making him exceptionally competent and fit. From the man who shoes your horse to the lawyer who pleads your case, the officer who manages your railway, the doctor into whose hands you give your life, or the minister who seeks to save your soul, what now do you reject because you have tried him and by his works have known him? What makes the presidential office an exception to all things else in the common sense to be applied to selecting its incumbent? Who dares to put fetters on the free choice and judgment, which is the birthright of the American people? Can it be said that Grant has used official power to perpetuate his plan? He has no place. No official power has been used for him. Without patronage or power, without telegraph wires running from his house to the convention, without electioneering contrivances, without effort on his part, his name is on his country's lips, and he is struck at by the whole Democratic party because his nomination will be the deathblow to Democratic success. He is struck at by others who find

offense and disqualification in the very service he has rendered and the very experience he has gained. Show me a better man. Name one and I am answered; but do not point, as a disqualification, to the very facts which make this man fit beyond all others. Let not experience disqualify or excellence impeach him. There is no third term in the case, and the pretense will die with the political dog-days which engendered it. Nobody is really worried about a third term except those hopelessly longing for a first term and the dupes they have made. Without bureaus, committees, officials or emissaries to manufacture sentiment in his favor, without intrigue or effort on his part, Grant is the candidate whose supporters have never threatened to bolt. As they say, he is a Republican who never wavers. He and his friends stood by the creed and the candidates of the Republican party, holding the right of a majority as the very essence of their faith, and meaning to uphold that faith against the common enemy and the charlatans and the guerrillas who from time to time deploy between the lines and forage on one side or the other.

The Democratic party is a standing protest against progress. Its purposes are spoils. Its hope and very existence is a solid South. Its success is a menace to prosperity and order.

This convention, as master of a supreme opportunity, can name the next President of the United States and make sure of his election and his peaceful inauguration. It can break the power which dominates and mildews the South. It can speed the nation in a career of grandeur eclipsing all past achievements. We have only to listen above the din and look beyond the dust of an hour to behold the Republican party advancing to victory with its greatest marshal at its head.

CHAPTER VI

INAUGURALS

§ 29

FIRST INAUGURAL ADDRESS

By Abraham Lincoln

(Delivered March 4, 1861.)

Fellow-citizens of the United States: In compliance with a custom as old as the government itself, I appear before you to address you briefly, and to take in your presence the oath prescribed by the Constitution of the United States to be taken by the President "before he enters on the execution of his office."

I do not consider it necessary at present for me to discuss those matters of administration about which there is no special anxiety or excitement.

Apprehension seems to exist among the people of the Southern States that by the accession of a Republican administration their property and their peace and personal security are to be endangered. There has never been any reasonable cause for such apprehension. Indeed, the most ample evidence to the contrary has all the while existed and been open to their inspection. It is found in nearly all the published speeches of him who now addresses you. I do but quote from one of those speeches when I declare that "I have no purpose, directly or indirectly, to interfere with the institution of slavery in the States where it exists. I believe I have no lawful right to do so, and I have no inclination to do so." Those who nominated and elected me did so with full knowledge that I had made this and many similar declarations, and had never recanted them. And, more than this, they placed in the platform for my acceptance, and as a law to themselves and to me, the clear and emphatic resolution which I now read:—

"*Resolved,* That the maintenance inviolate of the rights of the States, and especially the right of each State to order and control its own domestic institutions according to its own judgment exclusively, is essential to that balance

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of power on which the perfection and endurance of our political fabric depend, and we denounce the lawless invasion by armed force of the soil of any State or Territory, no matter under what pretext, as among the gravest of crimes."

I now reiterate these sentiments; and, in doing so, I only press upon the public attention the most conclusive evidence of which the case is susceptible, that the property, peace, and security of no section are to be in any wise endangered by the now incoming administration. I add, too, that all the protection which, consistently with the Constitution and the laws, can be given, will be cheerfully given to all the States when lawfully demanded, for whatever cause—as cheerfully to one section as to another.

There is much controversy about the delivering up of fugitives from service or labor. The clause I now read is as plainly written in the Constitution as any other of its provisions:—

"No person held to service or labor in one State, under the laws thereof, escaping into another, shall in consequence of any law or regulation therein be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due."

It is scarcely questioned that this provision was intended by those who made it for the reclaiming of what we call fugitive slaves; and the intention of the lawgiver is the law. All members of Congress swear their support to the whole Constitution—to this provision as much as to any other. To the proposition, then, that slaves whose cases come within the terms of this clause "shall be delivered up," their oaths are unanimous. Now, if they would make the effort in good temper, could they not with nearly equal unanimity frame and pass a law by means of which to keep good that unanimous oath?

There is some difference of opinion whether this clause should be enforced by national or by State authority; but surely that difference is not a very material one. If the slave is to be surrendered, it can be of but little consequence to him or to others by which authority it is done. And should anyone in any case be content that his oath shall go unkept on a merely unsubstantial controversy as to how it shall be kept?

Again, in any law upon this subject, ought not all the safeguards of liberty known in civilized and humane jurisprudence to be introduced, so that a free man be not, in any case, surrendered as a slave? And might it not be well at the same time to provide by law for the enforcement of that clause in the Constitution which guarantees that "the citizen of each State shall be entitled to all privileges and immunities of citizens in the several States"?

I take the official oath to-day with no mental reservations, and with no purpose to construe the Constitution or laws by any hypercritical rules. And while I do not choose now to specify particular acts of Congress as proper to be enforced, I do suggest that it will be much safer for all, both in official and private stations, to conform to and abide by all those acts which stand unrepealed, than to violate any of them, trusting to find impunity in having them held to be unconstitutional.

It is seventy-two years since the first inauguration of a President under our National Constitution. During that period fifteen different and greatly distinguished citizens have, in succession, administered the executive branch of the government. They have conducted it through many perils, and generally with great success. Yet, with all this scope of precedent, I now enter upon the same task for the brief constitutional term of four years under great and peculiar difficulty. A disruption of the Federal Union, heretofore only menaced, is now formidably attempted.

I hold that, in contemplation of universal law and of the Constitution, the Union of these States is perpetual. Perpetuity is implied, if not expressed, in the fundamental law of all national governments. It is safe to assert that no government proper ever had a provision in its organic law for its own termination. Continue to execute all the express provisions of our National Constitution, and the Union will endure forever—it being impossible to destroy it except by some action not provided for in the instrument itself.

Again, if the United States be not a government proper, but an association of States in the nature of contract merely, can it, as a contract, be peaceably unmade by less than all the parties who made it? One party to a contract may violate it—break it, so to speak; but does it not require all to lawfully rescind it?

Descending from these general principles, we find the proposition that, in legal contemplation, the Union is perpetual, confirmed by the history of the Union itself. The Union is much older than the Constitution. It was formed, in fact, by the Articles of Association in 1774. It was matured and continued by the Declaration of Independence in 1776. It was further matured, and the faith of all the then thirteen States expressly plighted and engaged that it should be perpetual, by the Articles of Confederation in 1778. And, finally, in 1787 one of the declared objects for ordaining and establishing the Constitution was "to form a more perfect Union."

But if the destruction of the Union by one or by a part only of the

States be lawfully possible, the Union is less perfect than before the Constitution, having lost the vital element of perpetuity.

It follows from these views that no State upon its own mere motion can lawfully get out of the Union; that resolves and ordinances to that effect are legally void; and that acts of violence, within any State or States, against the authority of the United States, are insurrectionary or revolutionary, according to circumstances.

I therefore consider that, in view of the Constitution and the laws, the Union is unbroken; and to the extent of my ability I shall take care, as the Constitution itself expressly enjoins upon me, that the laws of the Union be faithfully executed in all the States. Doing this I deem to be only a simple duty on my part; and I shall perform it so far as practicable, unless my rightful masters, the American people, shall withhold the requisite means, or in some authoritative manner direct the contrary. I trust this will not be regarded as a menace, but only as the declared purpose of the Union that it will constitutionally defend and maintain itself.

In doing this there needs to be no bloodshed or violence; and there shall be none, unless it be forced upon the national authority. The power confided to me will be used to hold, occupy, and possess the property and places belonging to the government, and to collect the duties and imposts; but beyond what may be necessary for these objects, there will be no invasion, no using of force against or among the people anywhere. Where hostility to the United States, in any interior locality, shall be so great and universal as to prevent competent resident citizens from holding the Federal offices, there will be no attempt to force obnoxious strangers among the people for that object. While the strict legal right may exist in the government to enforce the exercise of these offices, the attempt to do so would be so irritating, and so nearly impracticable withal, that I deem it better to forego for the time the uses of such offices.

The mails, unless repelled, will continue to be furnished in all parts of the Union. So far as possible, the people everywhere shall have that sense of perfect security which is most favorable to calm thought and reflection. The course here indicated will be followed unless current events and experience shall show a modification or change to be proper, and in every case and exigency my best discretion will be exercised according to circumstances actually existing, and with a view and a hope of a peaceful solution of the national troubles and the restoration of fraternal sympathies and affections.

That there are persons in one section or another who seek to destroy the Union at all events, and are glad of any pretext to do it, I will neither

affirm nor deny; but if there be such, I need address no word to them. To those, however, who really love the Union may I not speak?

Before entering upon so grave a matter as the destruction of our national fabric, with all its benefits, its memories, and its hopes, woul it not be wise to ascertain precisely why we do it? Will you hazard so desperate a step while there is any possibility that any portion of the ills you fly from have no real existence? Will you, while the certain ills you fly to are greater than all the real ones you fly from—will you risk the commission of so fearful a mistake?

All profess to be content in the Union if all constitutional rights can be maintained. Is it true, then, that any right, plainly written in the Constitution, has been denied? I think not. Happily the human mind is so constituted that no party can reach to the audacity of doing this. Think, if you can, of a single instance in which a plainly written provision of the Constitution has ever been denied. If by the mere force of numbers a majority should deprive a minority of any clearly written constitutional right, it might, in a moral point of view, justify revolution —certainly would if such a right were a vital one. But such is not our case. All the vital rights of minorities and of individuals are so plainly assured to them by affirmations and negations, guarantees and prohibitions, in the Constitution, that controversies never arise concerning them. But no organic law can ever be framed with a provision specifically applicable to every question which may occur in practical administration. No foresight can anticipate, nor any document of reasonable length contain, express provisions for all possible questions. Shall fugitives from labor be surrendered by national or by State authority? The Constitution does not expressly say. *May* Congress prohibit slavery in the Territories? The Constitution does not expressly say. *Must* Congress protect slavery in the Territories? The Constitution does not expressly say.

From questions of this class spring all our constitutional controversies, and we divide upon them into majorities and minorities. If the minority will not acquiesce, the majority must, or the government must cease. There is no other alternative; for continuing the government is acquiescence on one side or the other.

If a minority in such case will secede rather than acquiesce, they make a precedent which in turn will divide and ruin them; for a minority of their own will secede from them whenever a majority refuses to be controlled by such minority. For instance, why may not any portion of a new confederacy a year or two hence arbitrarily secede again, precisely as portions of the present Union now claim to secede from

it? All who cherish disunion sentiments are now being educated to the exact temper of doing this.

Is there such perfect identity of interests among the States to compose new Union, as to produce harmony only, and prevent renewed secession?

Plainly, the central idea of secession is the essence of anarchy. A majority held in restraint by constitutional checks and limitations, and always changing easily with deliberate changes of popular opinions and sentiments, is the only true sovereign of a free people. Whoever rejects it does, of necessity, fly to anarchy or to despotism. Unanimity is impossible; the rule of a minority, as a permanent arrangement, is wholly inadmissible; so that, rejecting the majority principle, anarchy or despotism in some form is all that is left.

I do not forget the position, assumed by some, that constitutional questions are to be decided by the Supreme Court; nor do I deny that such decisions must be binding, in any case, upon the parties to a suit, as to the object of that suit, while they are also entitled to very high respect and consideration in all parallel cases by all other departments of the government. And while it is obviously possible that such decision may be erroneous in any given case, still the evil effect following it, being limited to that particular case, with the chance that it may be overruled and never become a precedent for other cases, can better be borne than could the evils of a different practice. At the same time, the candid citizen must confess that if the policy of the government, upon vital questions affecting the whole people, is to be irrevocably fixed by decisions of the Supreme Court, the instant they are made, in ordinary litigation between parties in personal actions, the people will have ceased to be their own rulers, having to that extent practically resigned their government into the hands of that eminent tribunal. Nor is there in this view any assault upon the court or the judges. It is a duty from which they may not shrink to decide cases properly brought before them, and it is no fault of theirs if others seek to turn their decisions to political purposes.

One section of our country believes slavery is right, and ought to be extended, while the other believes it is wrong, and ought not to be extended. This is the only substantial dispute. The fugitive-slave clause of the Constitution, and the law for the supression of the foreign slave-trade, are each as well enforced, perhaps, as any law can ever be in a community where the moral sense of the people imperfectly supports the law itself. The great body of the people abide by the dry legal obligation in both cases, and a few break over in each. This, I think, cannot be perfectly cured; and it would be worse in both cases after

the separation of the sections than before. The foreign slave-trade, now imperfectly suppressed, would be ultimately revived, without restriction, in one section, while fugitive slaves, now only partially surrendered, would not be surrendered at all by the other.

Physically speaking, we cannot separate. We cannot remove our respective sections from each other, nor build an impassable wall between them. A husband and wife may be divorced, and go out of the presence and beyond the reach of each other; but the different parts of our country cannot do this. They cannot but remain face to face, and intercourse, either amicable or hostile, must continue between them. Is it possible, then, to make that intercourse more advantageous or more satisfactory after separation than before? Can aliens make treaties easier than friends can make laws? Can treaties be more faithfully enforced between aliens than laws can among friends? Suppose you go to war, you cannot fight always; and when, after much loss on both sides, and no gain on either, you cease fighting, the identical old questions as to terms of intercourse are again upon you.

This country, with its institutions, belongs to the people who inhabit it. Whenever they shall grow weary of the existing government, they can exercise their constitutional right of amending it, or their revolutionary right to dismember or overthrow it. I cannot be ignorant of the fact that many worthy and patriotic citizens are desirous of having the National Constitution amended. While I make no recommendation of amendments, I fully recognize the rightful authority of the people over the whole subject, to be exercised in either of the modes prescribed in the instrument itself; and I should, under existing circumstances, favor rather than oppose a fair opportunity being afforded the people to act upon it. I will venture to add that to me the convention mode seems preferable, in that it allows amendments to originate with the people themselves, instead of only permitting them to take or reject propositions originated by others not especially chosen for the purpose, and which might not be precisely such as they would wish to either accept or refuse. I understand a proposed amendment to the Constitution—which amendment, however, I have not seen—has passed Congress, to the effect that the Federal Government shall never interfere with the domestic institutions of the States, including that of persons held to service. To avoid misconstruction of what I have said, I depart from my purpose not to speak of particular amendments so far as to say that, holding such a provision to now be implied constitutional law, I have no objection to its being made express and irrevocable.

The chief magistrate derives all his authority from the people, and they

have conferred none upon him to fix terms for the separation of the States. The people themselves can do this also if they choose; but the executive, as such, has nothing to do with it. His duty is to administer the present government, as it came to his hands, and to transmit it, unimpaired by him, to his successor.

Why should there not be a patient confidence in the ultimate justice of the people? Is there any better or equal hope in the world? In our present differences is either party without faith of being in the right? If the Almighty Ruler of Nations, with his eternal truth and justice, be on your side of the North, or on yours of the South, that truth and that justice will surely prevail by the judgment of this great tribunal of the American people.

By the frame of the government under which we live, this same people have wisely given their public servants but little power for mischief; and have, with equal wisdom, provided for the return of that little to their own hands at very short intervals. While the people retain their virtue and vigilance, no administration, by any extreme of wickedness or folly, can very seriously injure the government in the short space of four years.

My countrymen, one and all, think calmly and well upon this whole subject. Nothing valuable can be lost by taking time. If there be an object to hurry any of you in hot haste to a step which you would never take deliberately, that object will be frustrated by taking time; but no good object can be frustrated by it. Such of you as are now dissatisfied, still have the old Constitution unimpaired, and, on the sensitive point, the laws of your own framing under it; while the new administration will have no immediate power, if it would, to change either. If it were admitted that you who are dissatisfied hold the right side in the dispute, there still is no single good reason for precipitate action. Intelligence, patriotism, Christianity, and a firm reliance on Him who has never yet forsaken this favored land, are still competent to adjust in the best way all our present difficulty.

In your hands, my dissatisfied fellow-countrymen, and not in mine, is the momentous issue of civil war. The government will not assail you. You can have no conflict without being yourselves the aggressors. You have no oath registered in heaven to destroy the government, while I shall have the most solemn one to "preserve, protect, and defend it."

I am loathe to close. We are not enemies, but friends. We must not be enemies. Though passion may have strained, it must not break our bonds of affection. The mystic chords of memory, stretching from every battle-field and patriot grave to every living heart and hearthstone all over this broad land, will yet swell the chorus of the Union when again touched, as surely they will be, by the better angels of our nature.

§ 30

SECOND INAUGURAL ADDRESS

By Abraham Lincoln

(Delivered March 4, 1865.)

Fellow-Countrymen: At this second appearing to take the oath of the presidential office, there is less occasion for an extended address than at the first. Then a statement somewhat in detail of the course to be pursued seemed very fitting and proper; now, at the expiration of four years, during which public declarations have constantly been called forth concerning every point and place of the great contest which still absorbs attention and engrosses the energies of the nation, little that is new could be presented. The progress of our arms, upon which all else chiefly depends, is as well known to the public as to myself. It is, I trust, reasonably satisfactory and encouraging to all. With a high hope for the future, no prediction in that regard is ventured. On the occasion corresponding to this four years ago, all thoughts were anxiously directed to an impending civil war. All dreaded it. All sought to avoid it. While the Inaugural Address was being delivered from this place, devoted altogether to saving the Union without war, the insurgent agents were in the city seeking to destroy it without war,—seeking to dissolve the Union, and divide the effects by negotiating. Both parties deprecated war, but one of them would make war rather than let it perish, and war came. One-eighth of the whole population were colored slaves, not distributed generally over the Union, but located in the southern part. These slaves contributed a peculiar and powerful interest. All knew the interest would somehow cause war. To strengthen, perpetuate, and extend this interest was the object for which the insurgents would rend the Union by war, while the Government claimed no right to do more than restrict the territorial enlargement of it. Neither party expected the magnitude or duration which it has already attained; neither anticipated that the cause of the conflict might cease even before the conflict itself should cease. Each looked for an easier triumph and a result less fundamental and astonishing. Both read the same Bible and pray to the same God. Each invokes his aid against the other. It may seem strange that any man should dare to ask a just God's assistance in wringing bread from the sweat of other men's faces; but let us

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judge not, that we be not judged. The prayer of both should not be answered; that of neither has been answered fully, for the Almighty has his own purposes. "Woe unto the world because of offenses, for it must needs be that offense come; but woe unto that man by whom the offense cometh." If we shall suppose American slavery one of those offenses which, in the providence of God, must needs come, but which, having continued through his appointed time, he now wills to remove, and that he gives to both North and South this terrible war, as was due to those by whom the offense came, shall we discern that there is any departure from those divine attributes which believers in the living God always ascribe to him? Fondly do we hope, fervently do we pray, that this mighty scourge of war may speedily pass away; yet if it be God's will that it continue until the wealth piled by bondsmen by two hundred and fifty years' unrequited toil shall be sunk, and until every drop of blood drawn with the lash shall be paid by another drawn with the sword, as was said three thousand years ago, so still it must be said that the judgments of the Lord are true and righteous altogether.

With malice towards none, with charity for all, with firmness in the right, as God gives us to see the right, let us strive on to finish the work we are in, to bind up the nation's wounds, to care for him who shall have borne the battle, and for his widow and orphans; to do all which may achieve and cherish a just and a lasting peace among ourselves and with all nations.

§ 31

OUR RESPONSIBILITIES AS A NATION

By Theodore Roosevelt

(Inaugural address delivered at Washington, March 4, 1905.)

No people on earth have more cause to be thankful than ours, and this is said reverently, in no spirit of boastfulness in our own strength, but with gratitude to the Giver of Good, who has blessed us with the conditions which have enabled us to achieve so large a measure of well-being and of happiness. To us as a people it has been granted to lay

THEODORE ROOSEVELT. Born in New York, October 27, 1858; graduated from Harvard, 1880; New York Assembly, 1882-1884; member of the United States Civil Service Commission, 1889-1895; Assistant Secretary of the Navy, 1897-1898; commissioned Colonel during the Spanish-American War; elected Governor of New York in 1898; Vice-President of the United States in 1900; succeeded to the Presidency on the assassination of McKinley in 1901; elected President of the United States in 1904; unsuccessful candidate for President on the ticket of the Progressive party in 1912; died January 6, 1919.

the foundations of our national life in a new continent. We are the heirs of the ages, and yet we have had to pay few of the penalties which in old countries are exacted by the dead hand of a bygone civilization. We have not been obliged to fight for our existence against any alien race; and yet our life has called for the vigor and effort without which the manlier and hardier virtues wither away. Under such conditions it would be our own fault if we failed; and the success which we have had in the past, the success which we confidently believe the future will bring, should cause in us no feeling of vainglory, but rather a deep and abiding realization of all which life has offered us; a full acknowledgment of the responsibility which is ours; and a fixed determination to show that under a free government a mighty people can thrive best, alike as regards the things of the body and the things of the soul.

Much has been given to us, and much will rightfully be expected from us. We have duties to others and duties to ourselves; and we can shirk neither. We have become a great nation, forced by the fact of its greatness into relations with the other nations of the earth; and we must behave as beseems a people with such responsibilities. Toward all other nations, large and small, our attitude must be one of cordial and sincere friendship. We must show not only in our words but in our deeds that we are earnestly desirous of securing their good will by acting toward them in a spirit of just and generous recognition of all their rights. But justice and generosity in a nation, as in an individual, count most when shown not by the weak but by the strong. While ever careful to refrain from wronging others, we must be no less insistent that we are not wronged ourselves. We wish peace; but we wish the peace of justice, the peace of righteousness. We wish it because we think it is right and not because we are afraid. No weak nation that acts manfully and justly should ever have cause to fear us, and no strong power should ever be able to single us out as a subject for insolent aggression.

Our relations with the other Powers of the world are important; but still more important are our relations among ourselves. Such growth in wealth, in population, and in power as this nation has seen during the century and a quarter of its national life is inevitably accompanied by a like growth in the problems which are ever before every nation that rises to greatness. Power invariably means both responsibility and danger. Our forefathers faced certain perils which we have outgrown. We now face other perils, the very existence of which it was impossible that they should foresee. Modern life is both complex and intense, and the tremendous changes wrought by the extraordinary industrial development of the last half century are felt in every fiber of our social

and political being. Never before have men tried so vast and formidable an experiment as that of administering the affairs of a continent under the form of a democratic republic. The conditions which have told for our marvelous material well-being, which have developed to a very high degree our energy, self-reliance, and individual initiative, have also brought the care and anxiety inseparable from the accumulation of great wealth in industrial centers. Upon the success of our experiment much depends; not only as regards our own welfare, but as regards the welfare of mankind. If we fail, the cause of free self-government throughout the world will rock to its foundations; and therefore our responsibility is heavy, to ourselves, to the world as it is to-day, and to the generations yet unborn. There is no good reason why we should fear the future but there is every reason why we should face it seriously, neither hiding from ourselves the gravity of the problems before us nor fearing to approach these problems with the unbending, unflinching purpose to solve them aright.

Yet, after all, though the problems are new, though the tasks set before us differ from the tasks set before our fathers who founded and preserved this Republic, the spirit in which these tasks must be undertaken and these problems faced, if our duty is to be well done, remains essentially unchanged. We know that self-government is difficult. We know that no people needs such high traits of character as that people which seeks to govern its affairs aright through the freely expressed will of the freemen who compose it. But we have faith that we shall not prove false to the memories of the men of the mighty past. They did their work, they left us the splendid heritage we now enjoy. We in our turn have an assured confidence that we shall be able to leave this heritage unwasted and enlarged to our children and our children's children. To do so we must show, not merely in great crises, but in the everyday affairs of life, the qualities of practical intelligence, of courage, of hardihood and endurance, and above all the power of devotion to a lofty ideal, which made great the men who founded this Republic in the days of Washington, which made great the men who preserved this Republic in the days of Abraham Lincoln.

§ 32

INAUGURAL ADDRESS

By Woodrow Wilson

(Delivered March 5, 1913.)

There has been a change of government. It began two years ago, when the House of Representatives became Democratic by a decisive majority. It has now been completed. The Senate about to assemble will also be Democratic. The offices of President and Vice-President have been put into the hands of the Democrats. What does the change mean? That is the question that is uppermost in our minds to-day. That is the question that I am going to try to answer, in order, if I may, to interpret the occasion. It means much more than the mere success of a party.

The success of a party means little except when the nation is using that party for a large and definite purpose.

No one can mistake the purpose for which the nation now seeks to use the Democratic party. It seeks to use it to interpret a change in its own plans and point of view. Some old things with which we had grown familiar, and which had begun to creep into the very habit of our thought and of our lives, have altered their aspect as we have latterly looked critically upon them, with fresh, awakened eyes; have dropped their disguises and shown themselves alien and sinister. Some new things, as we look frankly upon them, willing to comprehend their real character, have come to assume the aspect of things long believed in and familiar, stuff of our own convictions. We have been refreshed by a new insight into our own life.

We see that in many things that life is very great. It is incomparably great in its material aspects, in its body of wealth, in the diversity and sweep of its energy, in the industries which have been conceived and built up by the genius of individual men and the limitless enterprise of groups of men. It is great, also, very great, in its moral force.

Nowhere else in the world have noble men and women exhibited in

Woodrow Wilson. Born in Staunton, Va., December 28, 1856; graduated from Princeton, 1879; graduated in Law University of Virginia, 1881; post-graduate work at Johns Hopkins, 1883-1885; on the faculty of Bryn Mawr College, 1885-1888; Wesleyan University, 1888-1890; Princeton University, 1890-1910; President of Princeton University, 1902-1910; Governor of New Jersey, 1911-1913; President of the United States, 1913-1921.

more striking forms the beauty and the energy of sympathy and helpfulness and counsel in their efforts to rectify wrong, alleviate suffering, and set the weak in the way of strength and hope. We have built up, moreover, a great system of government, which has stood through a long age as in many respects a model for those who seek to set liberty upon foundations that will endure against fortuitous change, against storm and accident. Our life contains every great thing, and contains it in rich abundance.

But the evil has come with the good, and much fine gold has been corroded. With riches has come inexcusable waste. We have squandered a great part of what we might have used, and have not stopped to conserve the exceeding bounty of nature, without which our genius for enterprise would have been worthless and impotent, scorning to be careful, shamefully prodigal as well as admirably efficient. We have been proud of our industrial achievements, but we have not hitherto stopped thoughtfully enough to count the human cost, the cost of lives snuffed out, of energies overtaxed and broken, the fearful physical and spiritual cost to the men and women and children upon whom the dead weight and burden of it all has fallen pitilessly the years through.

The groans and agony of it all had not yet reached our ears, the solemn, moving undertone of our life, coming up out of the mines and factories and out of every home where the struggle had its intimate and familiar seat. With the great government went many deep secret things which we too long delayed to look into and scrutinize with candid, fearless eyes. The great government we loved has too often been made use of for private and selfish purposes, and those who used it had forgotten the people.

At last a vision has been vouchsafed us of our life as a whole. We see the bad with the good, the debased and decadent with the sound and vital. With this vision we approach new affairs. Our duty is to cleanse, to reconsider, to restore, to correct the evil without impairing the good, to purify and humanize every process of our common life without weakening or sentimentalizing it.

There has been something crude and heartless and unfeeling in our haste to succeed and be great. Our thought has been "Let every man look out for himself, let every generation look out for itself," while we reared giant machinery which made it impossible that any but those who stood at the levers of control should have a chance to look out for themselves. We had not forgotten our morals. We remembered well enough that we had set up a policy which was meant to serve the humblest as well as the most powerful, with an eye single to the standards of

justice and fair play, and remembered it with pride. But we were very heedless and in a hurry to be great.

We have come now to the sober second thought. The scales of heedlessness have fallen from our eyes. We have made up our minds to square every process of our national life again with the standards we so proudly set up at the beginning and have always carried at our hearts. Our work is a work of restoration.

We have itemized with some degree of particularity the things that ought to be altered and here are some of the chief items: A tariff which cuts us off from our proper part in the commerce of the world, violates the just principles of taxation and makes the government a facile instrument in the hands of private interests; a banking and currency system based upon the necessity of the government to sell its bonds 50 years ago and perfectly adapted to concentrating cash and restricting credits; an industrial system which, take it on all its sides, financial as well as administrative, holds capital in leading strings, restricts the liberties and limits the opportunities of labor, and exploits without renewing or conserving the natural resources of the country; a body of agricultural activities never yet given the efficiency of great business undertakings or served as it should be through the instrumentality of science taken directly to the farm, or afforded the facilities of credit best suited to its practical needs; water courses undeveloped, waste places unreclaimed, forests untended, fast disappearing without plan or prospect of renewal, unregarded waste heaps at every mine.

We have studied as perhaps no other nation has the most effective means of production, but we have not studied cost or economy as we should either as organizers of industry, as statesmen, or as individuals.

Nor have we studied and perfected the means by which government may be put at the service of humanity, in safeguarding the health of the nation, the health of its men and its women and its children, as well as their rights in the struggle for existence. This is no sentimental duty.

The firm basis of government is justice, not pity. These are matters of justice. There can be no equality or opportunity, the first essential of justice in the body politic, if men and women and children be not shielded in their lives, their very vitality, from the consequences of great industrial and social processes which they cannot alter, control, or singly cope with. Society must see to it that it does not itself crush or weaken or damage its own constituent parts. The first duty of law is to keep sound the society it serves. Sanitary laws, pure food laws, and laws determining conditions of labor which individuals are powerless to determine for themselves are intimate parts of the very business of justice and legal efficiency.

These are some of the things we ought to do, and not leave the others undone, the old-fashioned, never-to-be-neglected, fundamental safeguarding of property and of individual right. This is the high enterprise of the new day; to lift everything that concerns our life as a nation to the light that shines from the hearthfire of every man's conscience and vision of the right. It is inconceivable that we should do this as partizans; it is inconceivable we should do it in ignorance of the facts as they are or in blind haste. We shall restore, not destroy.

We shall deal with our economic system as it is and as it may be modified, not as it might be if we had a clean sheet of paper to write upon, and step by step we shall make it what it should be, in the spirit of those who question their own wisdom and seek counsel and knowledge, not shallow self-satisfaction or the excitement of excursions whither they cannot tell. Justice, and only justice, shall always be our motto.

And yet it will be no cool process of mere science. The nation has been deeply stirred, stirred by a solemn passion, stirred by the knowledge of wrong, of ideals lost, of government too often debauched and made an instrument of evil. The feelings with which we face this new age of right and opportunity sweep across our heart-strings like some air out of God's own presence, where justice and mercy are reconciled and the judge and the brother are one. We know our task to be no mere task of politics, but a task which shall search us through and through, whether we be able to understand our time and the need of our people, whether we be indeed their spokesmen and interpreters, whether we have the pure heart to comprehend and the rectified will to choose our high course of action.

This is not a day of triumph; it is a day of dedication. Here muster, not the forces of party, but the forces of humanity. Men's hearts wait upon us; men's lives hang in the balance; men's hopes call upon us to say what we will do. Who shall live up to the great trust? Who dares fail to try? I summon all honest men, all patriotic, all forward-looking men, to my side. God helping me, I will not fail them, if they will but counsel and sustain me!

CHAPTER VII

DEDICATIONS

§ 33

LAYING THE CORNER-STONE OF BUNKER HILL MONUMENT

By Daniel Webster

(Delivered at Boston, Mass., June 17, 1825.)

This uncounted multitude before me, and around me, proves the feeling which the occasion has excited. These thousands of human faces, glowing with sympathy and joy, and, from the impulses of a common gratitude, turned reverently to heaven, in this spacious temple of the firmament, proclaim that the day, the place, and the purpose of our assembling have made a deep impression on our hearts.

If, indeed, there be anything in local association fit to affect the mind of man, we need not strive to repress the emotions which agitate us here. We are among the sepulchers of our fathers. We are on ground distinguished by their valor, their constancy, and the shedding of their blood. We are here, not to fix an uncertain date in our annals, nor to draw into notice an obscure and unknown spot. If our humble purpose had never been conceived, if we ourselves had never been born, the seventeenth of June, 1775, would have been a day on which all subsequent history would have poured its light, and the eminence where we stand, a point of attraction to the eyes of successive generations. But we are Americans. We live in what may be called the early age of this great continent; and we know that our posterity, through all time, are here to suffer and enjoy the allotments of humanity. We see before us a probable train of great events; we know that our own fortunes have been happily cast; and it is natural, therefore, that we should be moved by the contemplation of occurrences which have guided our destiny before many of us were born, and settled the condition in which we should pass that portion of our existence, which God allows to men on earth.

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We do not read even of the discovery of this continent without feeling something of a personal interest in the event; without being reminded how much it has affected our own fortunes and our own existence. It is more impossible for us, therefore, than for others, to contemplate with unaffected minds that interesting, I may say, that most touching and pathetic scene, when the great discoverer of America stood on the deck of his shattered bark, the shades of night falling on the sea, yet no man sleeping; tossed on the billows of an unknown ocean, yet the stronger billows of alternate hope and despair tossing his own troubled thoughts; extending forward his harassed frame, straining westward his anxious and eager eyes, till heaven at last granted him a moment of rapture and ecstasy, in blessing his vision with the sight of the unknown world.

Nearer to our times, more closely connected with our fates, and therefore still more interesting to our feelings and affections, is the settlement of our own country by colonists from England. We cherish every memorial of these worthy ancestors, we celebrate their patience and fortitude; we admire their daring enterprise; we teach our children to venerate their piety; and we are justly proud of being descended from men who have set the world an example of founding civil institutions on the great and united principles of human freedom and human knowledge. To us, their children, the story of their labors and sufferings can never be without its interest. We shall not stand unmoved on the shore of Plymouth, while the sea continues to wash it; nor will our brethren, in another early and ancient colony, forget the place of its first establishment, till their river shall cease to flow by it. No vigor of youth, no maturity of manhood, will lead the nation to forget the spots where its infancy was cradled and defended.

But the great event, in the history of the continent, which we are now met here to commemorate; that prodigy of modern times, at once the wonder and the blessing of the world, is the American Revolution. In a day of extraordinary prosperity and happiness, of high national honor, distinction, and power, we are brought together, in this place, by our love of country, by our admiration of exalted character, by our gratitude for signal services and patriotic devotion.

The society, whose organ I am, was formed for the purpose of rearing some honorable and durable monument to the memory of the early friends of American independence. They have thought that for this object no time could be more propitious than the present prosperous and peaceful period; that no place could claim preference over this memorable spot; and that no day could be more auspicious to the undertaking than the anniversary of the battle which was here fought. The foundation of that monument we have now laid. With solemnities suited

to the occasion, with prayers to Almighty God for his blessing, and in the midst of this cloud of witnesses, we have begun the work. We trust it will be prosecuted, and that springing from a broad foundation rising high in massive solidity and unadorned grandeur it may remain as long as heaven permits the works of man to last, a fit emblem, both of the events in memory of which it is raised and of the gratitude of those who have reared it.

We know, indeed, that the record of illustrious actions is most safely deposited in the universal remembrance of mankind. We know that if we could cause this structure to ascend, not only till it reached the skies, but till it pierced them, its broad surfaces could still contain but part of that which, in an age of knowledge, hath already been spread over the earth, and which history charges itself with making known to all future times. We know that no inscription on entablatures less broad than the earth itself can carry information of the events we commemorate where it has not already gone; and that no structure which shall not outlive the duration of letters and knowledge among men, can prolong the memorial. But our object is by this edifice to show our own deep sense of the value and importance of the achievements of our ancestors; and by presenting this work of gratitude to the eye to keep alive similar sentiments and to foster a constant regard for the principles of the Revolution. Human beings are composed not of reason only, but of imagination also, and sentiment; and that is neither wasted nor misapplied which is appropriated to the purpose of giving right direction to sentiments and opening proper springs of feeling in the heart. Let it not be supposed that our object is to perpetuate national hostility, or even to cherish a mere military spirit. It is higher, purer, nobler. We consecrate our work to the spirit of national independence, and we wish that the light of peace may rest upon it forever. We rear a memorial of our conviction of that unmeasured benefit which has been conferred on our own land and of the happy influences which have been produced by the same events on the general interests of mankind. We come as Americans to mark a spot which must forever be dear to us and our posterity. We wish that whosoever, in all coming time, shall turn his eye hither, may behold that the place is not undistinguished where the first great battle of the Revolution was fought. We wish that this structure may proclaim the magnitude and importance of that event to every class and every age. We wish that infancy may learn the purpose of its erection from maternal lips and that weary and withered age may behold it and be solaced by the recollections which it suggests. We wish that labor may look up here and be proud in the midst of its toil. We wish that in those days of disaster which, as they come on all na-

tions, must be expected to come on us also, desponding patriotism may turn its eyes hitherward and be assured that the foundations of our national power still stand strong. We wish that this column rising towards heaven among the pointed spires of so many temples dedicated to God may contribute also to produce in all minds a pious feeling of dependence and gratitude. We wish, finally, that the last object on the sight of him who leaves his native shore, and the first to gladden his who revisits it, may be something which shall remind him of the liberty and the glory of his country. Let it rise till it meet the sun in its coming; let the earliest light of the morning gild it, and parting day linger and play on its summit.

We live in a most extraordinary age. Events so various and so important that they might crowd and distinguish centuries are in our times compressed within the compass of a single life. When has it happened that history has had so much to record in the same term of years as since the seventeenth of June, 1775? Our own revolution, which under other circumstances might itself have been expected to occasion a war of half a century, has been achieved; twenty-four sovereign and independent States erected; and a General Government established over them, so safe, so wise, so free, so practical, that we might well wonder its establishment should have been accomplished so soon were it not for the greater wonder that it should have been established at all. Two or three millions of people have been augmented to twelve; and the great forests of the West prostrated beneath the arm of successful industry; and the dwellers on the banks of the Ohio and the Mississippi become the fellow-citizens and neighbors of those who cultivate the hills of New England. We have a commerce that leaves no sea unexplored; navies which take no law from superior force; revenues adequate to all the exigencies of government, almost without taxation; and peace with all nations, founded on equal rights and mutual respect.

Europe, within the same period, has been agitated by a mighty revolution, which, while it has been felt in the individual condition and happiness of almost every man, has shaken to the center her political fabric, and dashed against one another thrones which has stood tranquil for ages. On this, our continent, our own example has been followed; and colonies have sprung up to be nations. Unaccustomed sounds of liberty and free government have reached us from beyond the track of the sun; and at this moment the dominion of European power in this continent, from the place where we stand to the South pole, is annihilated forever.

In the meantime, both in Europe and America, such has been the

general progress of knowledge; such the improvements in legislation, in commerce, in the arts, in letters, and, above all, in liberal ideas and the general spirit of the age, that the whole world seems changed.

Yet, notwithstanding that this is but a faint abstract of the things which have happened since the day of the battle of Bunker Hill, we are but fifty years removed from it; and we now stand here to enjoy all the blessings of our own condition, and to look abroad on the brightened prospects of the world, while we hold still among us some of those who were active agents in the scenes of 1775, and who are now here from every quarter of New England to visit once more, and under circumstances so affecting, I had almost said so overwhelming, this renowned theater of their courage and patriotism.

Venerable men, you have come down to us from a former generation. Heaven has bounteously lengthened out your lives that you might behold this joyous day. You are now where you stood fifty years ago this very hour, with your brothers and your neighbors, shoulder to shoulder, in the strife for your country. Behold, how altered! The same heavens are, indeed, over your heads; the same ocean rolls at your feet; but all else, how changed! You hear now no roar of hostile cannon, you see no mixed volumes of smoke and flame rising from burning Charlestown. The ground strewed with the dead and the dying; the impetuous charge; the steady and successful repulse; the loud call to repeated assault; the summoning of all that is manly to repeated resistance; a thousand bosoms freely and fearlessly bared in an instant to whatever of terror there may be in war and death; all these you have witnessed, but you witness them no more. All is peace. The heights of yonder metropolis, its towers and roofs which you then saw filled with wives and children and countrymen in distress and terror, and looking with unutterable emotions for the issue of the combat, have presented you to-day with the sight of its whole happy population come out to welcome and greet you with a universal jubilee. Yonder proud ships by a felicity of position appropriately lying at the foot of this mount, and seeming fondly to cling around it, are not means of annoyance to you, but your country's own means of distinction and defense. All is peace; and God has granted you this sight of your country's happiness ere you slumber in the grave forever. He has allowed you to behold and to partake the reward of your patriotic toils; and he has allowed us, your sons and countrymen, to meet you here, and in the name of the present generation, in the name of your country, in the name of liberty, to thank you!

But, alas! you are not all here! Time and the sword have thinned your ranks. Prescott, Putnam, Stark, Brooks, Read, Pomeroy, Bridge!

our eyes seek for you in vain amidst this broken band. You are gathered to your fathers, and live only to your country in her grateful remembrance and your own bright example. But let us not too much grieve that you have met the common fate of men. You lived at least long enough to know that your work had been nobly and successfully accomplished. You lived to see your country's independence established and to sheathe your swords from war. On the light of Liberty you saw arise the light of Peace, like—

"Another morn,
Risen on mid-noon,"—

and the sky on which you closed your eyes was cloudless.

But—ah!—Him! the first great martyr in this great cause! Him! the premature victim of his own self-devoting heart! Him! the head of our civil councils and the destined leader of our military bands, whom nothing brought hither but the unquenchable fire of his own spirit; him! cut off by Providence in the hour of overwhelming anxiety and thick gloom; falling ere he saw the star of his country rise; pouring out his generous blood like water before he knew whether it would fertilize a land of freedom or of bondage! how shall I struggle with the emotions that stifle the utterance of thy name! Our poor work may perish, but thine shall endure! This monument may molder away; the solid ground it rests upon may sink down to a level with the sea, but thy memory shall not fail! Wheresoever among men a heart shall be found that beats to the transports of patriotism and liberty, its aspirations shall be to claim kindred with thy spirit!

But the scene amidst which we stand does not permit us to confine our thoughts or our sympathies to those fearless spirits who hazarded or lost their lives on this consecrated spot. We have the happiness to rejoice here in the presence of a most worthy representation of the survivors of the whole Revolutionary army.

Veterans, you are the remnant of many a well-fought field. You bring with you marks of honor from Trenton and Monmouth, from Yorktown, Camden, Bennington, and Saratoga. Veterans of half a century, when in your youthful days you put everything at hazard in your country's cause, good as that cause was, and sanguine as youth is, still your fondest hopes did not stretch onward to an hour like this! At a period to which you could not reasonably have expected to arrive; at a moment of national prosperity, such as you could never have foreseen, you are now met here to enjoy the fellowship of old soldiers and to receive the overflowings of a universal gratitude.

But your agitated countenances and your heaving breasts inform me

that even this is not an unmixed joy. I perceive that a tumult of contending feelings rushes upon you. The images of the dead, as well as the persons of the living, throng to your embraces. The scene overwhelms you, and I turn from it. May the Father of all mercies smile upon your declining years and bless them! And when you shall here have exchanged your embraces; when you shall once more have pressed the hands which have been so often extended to give succor in adversity, or grasped in the exultation of victory; then look abroad into this lovely land, which your young valor defended, and mark the happiness with which it is filled; yea, look abroad into the whole earth and see what a name you have contributed to give to your country, and what a praise you have added to freedom, and then rejoice in the sympathy and gratitude which beam upon your last days from the improved condition of mankind.

The occasion does not require of me any particular account of the battle of the seventeenth of June, nor any detailed narrative of the events which immediately preceded it. These are familiarly known to all. In the progress of the great and interesting controversy, Massachusetts and the town of Boston had become early and marked objects of the displeasure of the British Parliament. This had been manifested in the act for altering the government of the Province, and in that for shutting up the port of Boston. Nothing sheds more honor on our early history, and nothing better shows how little the feelings and sentiments of the colonies were known or regarded in England than the impression which these measures everywhere produced in America. It had been anticipated that while the other colonies would be terrified by the severity of the punishment inflicted on Massachusetts, the other seaports would be governed by a mere spirit of gain; and that, as Boston was now cut off from all commerce, the unexpected advantage which this blow on her was calculated to confer on other towns would be greedily enjoyed. How miserably such reasoners deceived themselves! How little they knew of the depth, and the strength, and the intenseness of that feeling of resistance to illegal acts of power which possessed the whole American people! Everywhere the unworthy boon was rejected with scorn. The fortunate occasion was seized everywhere to show to the whole world that the colonies were swayed by no local interest, no partial interest, no selfish interest. The temptation to profit by the punishment of Boston was strongest to our neighbors of Salem. Yet Salem was precisely the place where this miserable proffer was spurned in a tone of the most lofty self-respect and the most indignant patriotism. "We are deeply affected," said its inhabitants, "with the sense of our public calamities; but the miseries that are now rapidly

hastening on our brethren in the capital of the Province, greatly excite our commiseration. By shutting up the port of Boston some imagine that the course of trade might be turned hither, and to our benefit; but we must be dead to every idea of justice, lost to all feelings of humanity, could we indulge a thought to seize on wealth and raise our fortunes on the ruin of our suffering neighbors." These noble sentiments were not confined to our immediate vicinity. In that day of general affection and brotherhood, the blow given to Boston smote on every patriotic heart, from one end of the country to the other. Virginia and the Carolinas, as well as Connecticut and New Hampshire, felt and proclaimed the cause to be their own. The Continental Congress, then holding its first session in Philadelphia, expressed its sympathy for the suffering inhabitants of Boston, and addresses were received from all quarters assuring them that the cause was a common one, and should be met by common efforts and common sacrifices. The Congress of Massachusetts responded to these assurances; and in an address to the Congress at Philadelphia, bearing the official signature, perhaps among the last of the immortal Warren, notwithstanding the severity of its suffering and the magnitude of the dangers which threatened it, it was declared that this colony "is ready, at all times, to spend and to be spent in the cause of America."

But the hour drew nigh which was to put professions to the proof and to determine whether the authors of these mutual pledges were ready to seal them in blood. The tidings of Lexington and Concord had no sooner spread than it was universally felt that the time was at last come for action. A spirit pervaded all ranks, not transient, not boisterous, but deep, solemn, determined,—

"Totamque infusa per artus
Mens agitat molem, et magno se corpore miscet."

War, on their own soil and at their own doors, was, indeed, a strange work to the yeomanry of New England; but their consciences were convinced of its necessity, their country called them to it and they did not withhold themselves from the perilous trial. The ordinary occupations of life were abandoned; the plow was staid in the unfinished furrow; wives gave up their husbands, and mothers gave up their sons to the battles of a civil war. Death might come, in honor, on the field; it might come, in disgrace, on the scaffold. For either and for both they were prepared. The sentiment of Quincy was full in their hearts. "Blandishments," said that distinguished son of genius and patriotism, "will not fascinate us, nor will threats of a halter intimidate; for, under

God, we are determined that wheresoever, whensoever, or howsoever we shall be called to make our exit, we will die free men."

The seventeenth of June saw the four New England colonies standing here, side by side, to triumph or to fall together; and there was with them from that moment to the end of the war, what I hope will remain with them forever,—one cause, one country, one heart.

The battle of Bunker Hill was attended with the most important effects beyond its immediate result as a military engagement. It created at once a state of open, public war. There could now be no longer a question of proceeding against individuals as guilty of treason or rebellion. That fearful crisis was past. The appeal now lay to the sword, and the only question was whether the spirit and the resources of the people would hold out till the object should be accomplished. Nor were its general consequences confined to our own country. The previous proceedings of the colonies, their appeals, resolutions, and addresses had made their cause known to Europe. Without boasting, we may say that in no age or country has the public cause been maintained with more force of argument, more power of illustration, or more of that persuasion which excited feeling and elevated principle can alone bestow, than the revolutionary State papers exhibit. These papers will forever deserve to be studied, not only for the spirit which they breathe, but for the ability with which they were written.

To this able vindication of their cause, the colonies had now added a practical and severe proof of their own true devotion to it, and evidence also of the power which they could bring to its support. All now saw that if America fell, she would not fall without a struggle. Men felt sympathy and regard as well as surprise when they beheld these infant States, remote, unknown, unaided, encounter the power of England, and in the first considerable battle leave more of their enemies dead on the field, in proportion to the number of combatants, than they had recently known in the wars of Europe.

Information of these events circulating through Europe at length reached the ears of one who now hears me. He has not forgotten the emotion which the fame of Bunker Hill and the name of Warren excited in his youthful breast.

Sir, we are assembled to commemorate the establishment of great public principles of liberty, and to do honor to the distinguished dead. The occasion is too severe for eulogy. to the living. But, sir, your interesting relation to this country, the peculiar circumstances which surround you and surround us, call on me to express the happiness which we derive from your presence and aid in this solemn commemoration.

Fortunate, fortunate man! with what measure of devotion will you

not thank God for the circumstances of your extraordinary life! You are connected with both hemispheres and with two generations. Heaven saw fit to ordain that the electric spark of liberty should be conducted, through you, from the New World to the Old; and we, who are now here to perform this duty of patriotism, have all of us long ago received it in charge from our fathers to cherish your name and your virtues. You will account it an instance of your good fortune, sir, that you crossed the seas to visit us at a time which enables you to be present at this solemnity. You now behold the field, the renown of which reached you in the heart of France, and caused a thrill in your ardent bosom. You see the lines of the little redoubt thrown up by the incredible diligence of Prescott; defended to the last extremity by his lion-hearted valor; and within which the corner-stone of our monument has now taken its position. You see where Warren fell, and where Parker, Gardner, McCleary, Moore, and other early patriots fell with him. Those who survived that day, and whose lives have been prolonged to the present hour, are now around you. Some of them you have known in the trying scenes of the war. Behold! they now stretch forth their feeble arms to embrace you. Behold! they raise their trembling voices to invoke the blessing of God on you and yours forever.

Sir, you have assisted us in laying the foundation of this edifice. You have heard us rehearse, with our feeble commendation, the names of departed patriots. Sir, monuments and eulogy belong to the dead. We give them this day to Warren and his associates. On other occasions they have been given to your more immediate companions in arms, to Washington, to Greene, to Gates, Sullivan, and Lincoln. Sir, we have become reluctant to grant these, our highest and last honors, further. We would gladly hold them yet back from the little remnant of that immortal band. *"Serus in cœlum redeas."* Illustrious as are your merits, yet far, oh, very far distant be the day when any inscription shall bear your name, or any tongue pronounce its eulogy!

The leading reflection to which this occasion seems to invite us respects the great changes which have happened in the fifty years since the battle of Bunker Hill was fought. And it peculiarly marks the character of the present age that, in looking at these changes and in estimating their effect on our condition, we are obliged to consider, not what has been done in our own country only, but in others, also. In these interesting times, while nations are making separate and individual advances in improvement, they make, too, a common progress; like vessels on a common tide, propelled by the gales at different rates, according to their several structure and management, but all moved forward by one mighty

current beneath, strong enough to bear onward whatever does not sink beneath it.

A chief distinction of the present day is a community of opinions and knowledge amongst men, in different nations, existing in a degree heretofore unknown. Knowledge has, in our time, triumphed, and is triumphing over distance, over difference of languages, over diversity of habits, over prejudice, and over bigotry. The civilized and Christian world is fast learning the great lesson, that difference of nation does not imply necessary hostility, and that all contact need not be war. The whole world is becoming a common field for intellect to act in. Energy of mind, genius, power, wheresoever it exists, may speak out in any tongue, and the world will hear it. A great chord of sentiment and feeling runs through two continents, and vibrates over both. Every breeze wafts intelligence from country to country; every wave rolls it; all give it forth, and all in turn receive it. There is a vast commerce of ideas; there are marts and exchanges for intellectual discoveries, and a wonderful fellowship of those individual intelligences which make up the mind and opinion of the age. Mind is the great lever of all things; human thought is the process by which human ends are ultimately answered; and the diffusion of knowledge, so astonishing in the last half-century, has rendered innumerable minds, variously gifted by nature, competent to be competitors, or fellow-workers, on the theater of intellectual operation.

From these causes, important improvements have taken place in the personal condition of individuals. Generally speaking, mankind are not only better fed and better clothed, but they are able also to enjoy more leisure; they possess more refinement and more self-respect. A superior tone of education, manners, and habits prevails. This remark, most true in its application to our own country, is also partly true when applied elsewhere. It is proved by the vastly augmented consumption of those articles of manufacture and of commerce which contribute to the comforts and the decencies of life,—an augmentation which has far outrun the progress of population. And while the unexampled and almost incredible use of machinery would seem to supply the place of labor, labor still finds its occupation and its reward; so wisely has Providence adjusted men's wants and desires to their condition and their capacity.

Any adequate survey, however, of the progress made in the last half century, in the polite and the mechanic arts, in machinery and manufactures, in commerce and agriculture, in letters, and in science, would require volumes. I must abstain wholly from these subjects, and turn, for a moment, to the contemplation of what has been done on the great question of politics and government. This is the master topic of the

age; and during the whole fifty years, it has intensely occupied the thoughts of men. The nature of civil government, its ends and uses, have been canvassed and investigated; ancient opinions attacked and defended; new ideas recommended and resisted, by whatever power the mind of man could bring to the controversy. From the closet and the public halls the debate has been transferred to the field; and the world has been shaken by wars of unexampled magnitude, and the greatest variety of fortune. A day of peace has at length succeeded; and now that the strife has subsided, and the smoke cleared away, we may begin to see what has actually been done, permanently changing the state and condition of human society. And without dwelling on particular circumstances, it is most apparent that, from the before-mentioned causes of augmented knowledge and improved individual condition, a real, substantial, and important change has taken place, and is taking place, greatly beneficial, on the whole, to human liberty and human happiness.

The great wheel of political revolution began to move in America. Here its rotation was guarded, regular, and safe. Transferred to the other continent, from unfortunate but natural causes, it received an irregular and violent impulse; it whirled along with a fearful celerity, till at length, like the chariot wheels in the races of antiquity, it took fire from the rapidity of its own motion, and blazed onward, spreading conflagration and terror around.

We learn from the result of this experiment how fortunate was our own condition, and how admirably the character of our people was calculated for making the great example of popular governments. The possession of power did not turn the heads of the American people, for they had long been in the habit of exercising a great portion of self-control. Although the paramount authority of the parent State existed over them, yet a large field of legislation had always been open to our colonial assemblies. They were accustomed to representative bodies and the forms of free government; they understood the doctrine of the division of power among different branches and the necessity of checks on each. The character of our countrymen, moreover, was sober, moral, and religious; and there was little in the change to shock their feelings of justice and humanity, or even to disturb an honest prejudice. We had no domestic throne to overturn, no privileged orders to cast down, no violent changes of property to encounter. In the American Revolution, no man sought or wished for more than to defend and enjoy his own. None hoped for plunder or for spoil. Rapacity was unknown to it; the ax was not among the instruments of its accomplishment; and we all know that it could not have lived a single day under any well-

founded imputation of possessing a tendency adverse to the Christian religion.

It need not surprise us that, under circumstances less auspicious, political revolutions elsewhere, even when well intended, have terminated differently. It is, indeed, a great achievement, it is the master-work of the world, to establish governments entirely popular, on lasting foundations; nor is it easy, indeed, to introduce the popular principle at all into governments to which it has been altogether a stranger. It cannot be doubted, however, that Europe has come out of the contest, in which she has been so long engaged, with greatly superior knowledge, and, in many respects, a highly improved condition. Whatever benefit has been acquired is likely to be retained, for it consists mainly in the acquisition of more enlightened ideas. And although kingdoms and provinces may be wrested from the hands that hold them, in the same manner they were obtained; although ordinary and vulgar power may, in human affairs, be lost as it has been won, yet it is the glorious prerogative of the empire of knowledge, that what it gains it never loses. On the contrary, it increases by the multiple of its own power; all its ends become means; all its attainments help to new conquests. Its whole abundant harvest is but so much seed wheat, and nothing has ascertained, and nothing can ascertain, the amount of ultimate product.

Under the influence of this rapidly-increasing knowledge, the people have begun, in all forms of government, to think and to reason on affairs of state. Regarding government as an institution for the public good, they demand a knowledge of its operations and a participation in its exercise. A call for the representative system, wherever it is not enjoyed, and where there is already intelligence enough to estimate its value, is perseveringly made. Where men may speak out, they demand it; where the bayonet is at their throats, they pray for it.

When Louis XIV. said "I am the state," he expressed the essence of the doctrine of unlimited power. By the rules of that system, the people are disconnected from the state; they are its subjects; it is their lord. These ideas, founded in the love of power, and long supported by the excess and the abuse of it, are yielding in our age to other opinions; and the civilized world seems at last to be proceeding to the conviction of that fundamental and manifest truth, that the powers of government are but a trust, and that they cannot be lawfully exercised but for the good of the community. As knowledge is more and more extended, this conviction becomes more and more general. Knowledge, in truth, is the great sun in the firmament. Life and power are scattered with all its beams. The prayer of the Grecian combatant, when enveloped in unnatural clouds and darkness, is the appropriate political

supplication for the people of every country not yet blessed with free institutions:—

> "Dispel this cloud, the light of heaven restore;
> Give me to see—and Ajax asks no more."

We may hope that the growing influence of enlightened sentiments will promote the permanent peace of the world. Wars, to maintain family alliances, to uphold or to cast down dynasties, to regulate successions to thrones, which have occupied so much room in the history of modern times, if not less likely to happen at all, will be less likely to become general and involve many nations, as the great principle shall be more and more established, that the interest of the world is peace, and its first great statute, that every nation possesses the power of establishing a government for itself. But public opinion has attained also an influence over governments which do not admit the popular principle into their organization. A necessary respect for the judgment of the world operates, in some measure, as a control over the most unlimited forms of authority. It is owing, perhaps, to this truth, that the interesting struggle of the Greeks has been suffered to go on so long, without a direct interference, either to wrest that country from its present masters, and add it to other powers, or to execute the system of pacification by force, and, with united strength, lay the neck of Christian and civilized Greece at the foot of the barbarian Turk. Let us thank God that we live in an age when something has influence besides the bayonet, and when the sternest authority does not venture to encounter the scorching power of public reproach. Any attempt of the kind I have mentioned should be met by one universal burst of indignation; the air of the civilized world ought to be made too warm to be comfortably breathed by any who would hazard it.

It is, indeed, a touching reflection, that while, in the fullness of our country's happiness, we rear this monument to her honor, we look for instruction in our undertaking, to a country which is now in fearful contest, not for works of art or memorials of glory, but for her own existence. Let her be assured that she is not forgotten in the world; that her efforts are applauded, and that constant prayers ascend for her success. And let us cherish a confident hope for her final triumph. If the true spark of religious and civil liberty be kindled, it will burn. Human agency cannot extinguish it. Like the earth's central fire, it may be smothered for a time; the ocean may overwhelm it; mountains may press it down; but its inherent and unconquerable force will heave both the ocean and the land, and at some time or another, in some place or another, the volcano will break out and flame up to heaven.

Among the great events of the half-century, we must reckon, certainly, the revolution of South America; and we are not likely to overrate the importance of that revolution, either to the people of the country itself or to the rest of the world. The late Spanish colonies, now independent States, under circumstances less favorable, doubtless, than attended our own revolution, have yet successfully commenced their national existence. They have accomplished the great object of establishing their independence; they are known and acknowledged in the world; and, although in regard to their systems of government, their sentiments on religious toleration, and their provisions for public instruction, they may have yet much to learn, it must be admitted that they have risen to the condition of settled and established States more rapidly than could have been reasonably anticipated. They already furnish an exhilarating example of the difference between free governments and despotic misrule. Their commerce at this moment creates a new activity in all the great marts of the world. They show themselves able by an exchange of commodities to bear a useful part in the intercourse of nations. A new spirit of enterprise and industry begins to prevail; all the great interests of society receive a salutary impulse; and the progress of information, not only testifies to an improved condition, but constitutes itself the highest and most essential improvement.

When the battle of Bunker Hill was fought, the existence of South America was scarcely felt in the civilized world. The thirteen little colonies of North America habitually called themselves the "Continent." Borne down by colonial subjugation, monopoly, and bigotry, these vast regions of the South were hardly visible above the horizon. But in our day there hath been, as it were, a new creation. The Southern Hemisphere emerges from the sea. Its lofty mountains begin to lift themselves into the light of heaven; its broad and fertile plains stretch out in beauty to the eye of civilized man and at the mighty being of the voice of political liberty, the waters of darkness retire.

And now let us indulge an honest exultation in the conviction of the benefit which the example of our country has produced and is likely to produce on human freedom and human happiness. And let us endeavor to comprehend in all its magnitude and to feel in all its importance the part assigned to us in the great drama of human affairs. We are placed at the head of the system of representative and popular governments. Thus far our example shows that such governments are compatible, not only with respectability and power, but with repose, with peace, with security of personal rights, with good laws and a just administration.

We are not propagandists. Wherever other systems are preferred, either as being thought better in themselves or as better suited to ex-

isting conditions, we leave the preference to be enjoyed. Our history hitherto proves, however, that the popular form is practicable and that, with wisdom and knowledge, men may govern themselves; and the duty incumbent on us is to preserve the consistency of this cheering example and take care that nothing may weaken its authority with the world. If in our case the representative system ultimately fail, popular governments must be pronounced impossible. No combination of circumstances more favorable to the experiment can ever be expected to occur. The last hopes of mankind, therefore, rest with us; and if it should be proclaimed that our example had become an argument against the experiment, the knell of popular liberty would be sounded throughout the earth.

These are incitements to duty; but they are not suggestions of doubt. Our history and our condition, all that is gone before us and all that surrounds us, authorize the belief that popular governments, though subject to occasional variations, perhaps not always for the better in form, may yet in their general character be as durable and permanent as other systems. We know, indeed, that in our country any other is impossible. The principle of free governments adheres to the American soil. It is bedded in it—immovable as its mountains.

And let the sacred obligations which have devolved on this generation and on us sink deep into our hearts. Those are daily dropping from among us who established our liberty and our government. The great trust now descends to new hands. Let us apply ourselves to that which is presented to us as our appropriate object. We can win no laurels in a war for independence. Earlier and worthier hands have gathered them all. Nor are there places for us by the side of Solon, and Alfred, and other founders of states. Our fathers have filled them. But there remains to us a great duty of defense and preservation; and there is opened to us also a noble pursuit to which the spirit of the times strongly invites us. Our proper business is improvement. Let our age be the age of improvement. In a day of peace let us advance the arts of peace and the works of peace. Let us develop the resources of our land, call forth its powers, build up its institutions, promote all its great interests, and see whether we also, in our day and generation, may not perform something worthy to be remembered. Let us cultivate a true spirit of union and harmony. In pursuing the great objects which our condition points out to us, let us act under a settled conviction, and a habitual feeling that these twenty-four States are one country. Let our conceptions be enlarged to the circle of our duties. Let us extend our ideas over the whole of the vast field in which we are called to act. Let our object

be our country, our whole country, and nothing but our country. And by the blessing of God may that country itself become a vast and splendid monument, not of oppression and terror, but of wisdom, of peace, and of liberty, upon which the world may gaze with admiration, forever.

§ 34

THE GETTYSBURG ADDRESS

By Abraham Lincoln

(Address delivered at the dedication of the National Cemetery at Gettysburg, Pa., November 19, 1863.)

Fourscore and seven years ago our fathers brought forth upon this continent a new nation, conceived in liberty, and dedicated to the proposition that all men are created equal.

Now we are engaged in a great civil war, testing whether that nation, or any nation so conceived and so dedicated, can long endure. We are met on a great battle-field of that war. We have come to dedicate a portion of that field as a final resting-place for those who here gave their lives that that nation might live. It is altogether fitting and proper that we should do this.

But in a larger sense we cannot dedicate, we cannot consecrate, we cannot hallow this ground. The brave men, living and dead, who struggled here, have consecrated it far above our poor power to add or detract. The world will little note nor long remember what we say here; but it can never forget what they did here. It is for us, the living, rather, to be dedicated here to the unfinished work which they who fought here have thus far so nobly advanced. It is rather for us to be here dedicated to the great task remaining before us: that from these honored dead we take increased devotion to that cause for which they gave the last full measure of devotion; that we here highly revolve that these dead shall not have died in vain; that this nation, under God, shall have a new birth of freedom; and that government of the people, by the people, and for the people, shall not perish from the earth.

See page 341.

§ 35

A PLEA FOR HIS RACE

By Booker T. Washington

(Address delivered at the opening of the Cotton States and International Exposition at Atlanta, Ga., September 18, 1895, as reported in *The Atlanta Constitution*, September 19, 1895.)

Mr. President, Gentlemen of the Board of Directors, and Citizens: One-third of the population of the South is of the Negro race. No enterprise seeking the material, civil, or moral welfare of this section can disregard this element of our population and reach the highest success. I but convey to you, Mr. President and Directors, the sentiment of the masses of my race when I say that in no way have the value and the manhood of the American Negro been more fittingly and generously recognized than by the managers of this magnificent Exposition at every stage of its progress. It is a recognition which will do more to cement the friendship of the two races than any occurrence since the dawn of our freedom.

Not only this, but the opportunity here afforded will awaken among us a new era of industrial progress. Ignorant and inexperienced, it is not strange that in the first years of our new life we began at the top instead of at the bottom; that a seat in Congress or the State Legislature was more sought than real estate or industrial skill; that the political convention or stump speaking had more attractions than starting a dairy-farm or truck-garden.

A ship lost at sea for many days suddenly sighted a friendly vessel. From the mast of the unfortunate vessel was seen the signal: "Water, water; we die of thirst!" The answer from the friendly vessel at once came back: "Cast down your bucket where you are." A second time the signal, "Water, water; send us water!" ran up from the distressed vessel, and was answered: "Cast down your bucket where you are." And a third and a fourth signal for water was answered: "Cast down your bucket where you are." The captain of the distressed vessel, at last heeding the injunction, cast down his bucket, and it came up full of fresh, sparkling water from the mouth of the Amazon River.

To those of my race who depend on bettering their condition in a foreign land, or who underestimate the importance of cultivating friendly

Booker T. Washington. Was born a slave near Hales Ford, Va., about the year 1856; educated at Hampton Institute; President of Tuskegee Normal and Industrial Institute, 1881-1915; Honorary Degree of Master of Arts, Harvard University, 1906.

relations with the Southern white man, who is their next door neighbor, I would say: "Cast down your bucket where you are"—cast it down in making friends in every manly way of the people of all races by whom we are surrounded. Cast it down in agriculture, mechanics, in commerce, in domestic service, and in the professions. And in this connection it is well to bear in mind that whatever other sins the South may be called upon to bear, when it comes to business, pure and simple, it is in the South that the Negro is given a man's chance in the commercial world, and in nothing is this Exposition more eloquent than in emphasizing this chance. Our greatest danger is, that in the great leap from slavery to freedom we may overlook the fact that the masses of us are to live by the productions of our hands, and fail to keep in mind that we shall prosper in proportion as we learn to dignify and to glorify common labor and put brains and skill into the common occupations of life; shall prosper in proportion as we learn to draw the line between the superficial and the substantial, the ornamental gewgaws of life and the useful.

No race can prosper until it learns that there is as much dignity in tilling a field as in writing a poem. It is at the bottom of life we must begin, and not at the top. Nor should we permit our grievances to overshadow our opportunities.

To those of the white race who look to the incoming of those of foreign birth and strange tongue and habits for the prosperity of the South, were I permitted I would repeat, what I say to my own race, "Cast down your bucket where you are." Cast it down among 8,000,000 Negroes whose habits you know, whose loyalty and love you have tested in days when to have proved treacherous meant the ruin of your firesides. Cast down your bucket among these people who have, without strikes and labor wars, tilled your fields, cleared your forests, builded your railroads and cities, and brought forth treasures from the bowels of the earth, and helped make possible this magnificent representation of the progress of the South.

Casting down your bucket among my people, helping and encouraging them as you are doing on these grounds, and to education of head, hand, and heart, you will find that they will buy your surplus land, make blossom the waste places in your fields, and run your factories. While doing this, you can be sure in the future, as in the past, that you and your families will be surrounded by the most patient, faithful, law-abiding, and unresentful people that the world has seen.

As we have proved our loyalty to you in the past, in nursing your children, watching by the sick-bed of your mothers and fathers, and often following them with tear-dimmed eyes to their graves, so in the future, in our humble way, we shall stand by you with a devotion

that no foreigner can approach, ready to lay down our lives, if need be, in defense of yours, interlacing our industrial, commercial, civil, and religious life with yours in a way that shall make the interests of both races one. In all things that are purely social we can be as separate as the fingers, yet one as the hand in all things essential to mutual progress.

There is no defense or security for any of us except in the highest intelligence and development of all. If anywhere there are efforts tending to curtail the fullest growth of the Negro, let these efforts be turned into stimulating, encouraging, and making him the most useful and intelligent citizen. Efforts or means so invested will pay a thousand per cent. interest. These efforts will be twice-blessed—"blessing him that gives and him that takes."

There is no escape through law of man or God from the inevitable:—

"The laws of changeless justice bind
Oppressor with oppressed;
And close as sin and suffering joined
We march to fate abreast."

Nearly sixteen millions of hands will aid you in pulling the load upwards, or they will pull against you the load downwards. We shall constitute one-third and much more of the ignorance and crime of the South, or one-third its intelligence and progress; we shall contribute one-third to the business and industrial prosperity of the South, or we shall prove a veritable body of death, stagnating, depressing every effort to advance the body politic.

Gentlemen of the Exposition, as we present to you our humble effort at an exhibition of our progress, you must not expect overmuch. Starting thirty years ago with the ownership here and there in a few quilts and pumpkins and chickens (gathered from miscellaneous sources), remember that the path that has led us from these to the inventions and production of agricultural implements, buggies, steam-engines, newspapers, books, statuary, carving, paintings, the management of drug stores and banks has not been trodden without contact with thorns and thistles.

While we take just pride in what we exhibit as a result of our independent efforts, we do not for a moment forget that our part in this exhibition would fall far short of your expectations but for the constant help that has come to our educational life, not only from the Southern States, but especially from Northern philanthropists, who have made their gifts a constant stream of blessing and encouragement.

The wisest among my race understand that the agitation of questions of social equality is the extremest folly, and that progress in the enjoy-

ment of all the privileges that will come to us must be the result of severe and constant struggle rather than of artificial forcing. No race that has anything to contribute to the markets of the world is long in any degree ostracized. It is right and important that all privileges of the law be ours, but it is vastly more important that we be prepared for the exercises of these privileges. The opportunity to earn a dollar in a factory just now is worth infinitely more than the opportunity to spend a dollar in an opera-house.

In conclusion, may I repeat that nothing in thirty years has given us more hope and encouragement, and nothing has drawn us so near to you of the white race, as the opportunity offered by this Exposition; and here bending, as it were, over the altar that represents the results of the struggles of your race and mine, both starting practically empty-handed three decades ago, I pledge that in your effort to work out the great and intricate problems which God has laid at the doors of the South you shall have at all times the patient, sympathetic help of my race; only let this be constantly in mind that, while from representations in these buildings of the product of the field, of the forest, of mine, of factory, letters, and art, much good will come: yet far above and beyond material benefits will be that higher good, that let us pray God will come, in a blotting out of sectional differences and racial animosities and suspicions, in a determination even in the remotest corner to administer absolute justice, in a willing obedience among all classes to the mandates of law, and a spirit that will tolerate nothing but the highest equity in the enforcement of law. This, coupled with our material prosperity, will bring into our beloved South a new heaven and a new earth.

§ 36

OPPORTUNITY

By John Lancaster Spalding

(Address delivered at the opening of the Spalding Institute, Peoria, December 6, 1899.)

How shall I live? How shall I make the most of my life and put it to the best use? How shall I become a man and do a man's work? This, and not politics or trade or war or pleasure, is the question. The primary consideration is not how one shall get a living, but how he

John Lancaster Spalding. Born in Lebanon, Ky., June 2, 1840; educated at Mount St. Mary's College, Cincinnati, O., and at the University of Louvain, Belgium, where he was ordained to the Catholic priesthood in 1863; was made Bishop of Peoria, Ill., May 1, 1877, Archbishop, 1908; died, Peoria, Ill., August 25, 1916.

shall live, for if he live rightly, whatever is needful he shall easily find. Life is opportunity, and therefore its whole circumstance may be made to serve the purpose of those who are bent on self-improvement, on making themselves capable of doing thorough work. Opportunity is a word which, like so many others that are excellent, we get from the Romans. It means near port, close to haven. It is a favorable occasion, time, or place for learning or saying or doing a thing. It is an invitation to seek safety and refreshment, an appeal to make escape from what is low and vulgar and to take refuge in high thoughts and worthy deeds, from which flows increase of strength and joy. It is omnipresent. What we call evils, as poverty, neglect, and suffering, are, if we are wise, opportunities for good. Death itself teaches life's value not less than its vanity. It is the background against which its worth and beauty stand forth in clear relief. Its dark form follows us like our shadow, to bid us win the prize while yet there is time; to teach that if we live in what is permanent, the destroyer cannot blight what we know and love; to urge us, with a power that belongs to nothing else, to lay the stress of all our hoping and doing on the things that cannot pass away. "Poverty," says Ouida, "is the north wind that lashes men into Vikings." "Lowliness is young ambition's ladder." What is more pleasant than to read of strong-hearted youths, who, in the midst of want and hardships of many kinds, have clung to books, feeding, like bees to flowers? By the light of pine-logs, in dim-lit garrets, in the fields following the plow, in early dawns when others are asleep, they ply their blessed task, seeking nourishment for the mind, athirst for truth, yearning for full sight of the high worlds of which they have caught faint glimpses; happier now, lacking everything save faith and a great purpose, than in after years when success shall shower on them applause and gold.

Life is good, and opportunities of becoming and doing good are always with us. Our house, our table, our tools, our books, our city, our country, our language, our business, our profession,—the people who love us and those who hate, they who help and they who oppose —what is all this but opportunity? Wherever we be there is opportunity of turning to gold the dust of daily happenings. If snow and storm keep me at home is not here an invitation to turn to the immortal silent ones who never speak unless they are addressed? If loss or pain or wrong befall me, shall they not show me the soul of good there is in things evil? Good fortune may serve to persuade us that the essential good is a noble mind and a conscience without flaw. Success will make plain the things in which we fail; failure shall spur us on to braver hope and striving. If I am left alone, yet God and all the

heroic dead are with me still. If a great city is my dwelling place, the superficial life of noise and haste shall teach me how blessed a thing it is to live within the company of true thought and high resolves. Whatever can help me to think and love, whatever can give me strength and patience, whatever can make me humble and serviceable, though it be a trifle light as air, is opportunity, whose whim it is to hide in unconsidered things, in chance acquaintance and casual speech, in the falling of an apple, in floating weeds, or the accidental explosion in a chemist's mortar.

Wisdom is habited in plainest garb, and she walks modestly, unheeded of the gaping and wondering crowd. She rules over the kingdom of little things, in which the lowly-minded hold the places of privilege. Her secrets are revealed to the careful, the patient, and the humble. They may be learned from the ant or the flower that blooms in some hidden spot or from the lips of husbandmen and housewives.

He is wise who finds a teacher in every man, an occasion to improve in every happening, for whom nothing is useless or in vain. If one whom he has trusted prove false, he lays it to the account of his own heedlessness and resolves to become more observant. If men scorn him, he is thankful that he need not scorn himself. If they pass him by, it is enough for him that truth and love still remain. If he is thrown with one who bears himself with ease and grace, or talks correctly in pleasantly modulated tones, or utters what can spring only from a sincere and generous mind—that is opportunity. If he chance to find himself in the company of the rude, their vulgarity gives him a higher estimate of the worth of breeding and behavior. The happiness and good fortune of his fellows add to his own. If they are beautiful or wise or strong, their beauty, wisdom, and strength shall in some way help him. The merry voices of children bring gladness to his heart; the songs of birds wake melody there. Whoever anywhere, in any age, spoke noble words or performed heroic deeds, spoke and wrought for him. For him Moses led the people forth from bondage; for him the three hundred perished at Thermopylæ; for him Homer sang; for him Demosthenes denounced the tyrant; for him Columbus sailed the untraveled sea; for him Galileo gazed on the starry vault; for him the blessed Savior died. He knows that whatever diminishes his good-will to men, his sympathy with them, even in their blindness and waywardness, makes him poorer, and he therefore finds means to convert their faults even into opportunities for loving them more. The rivalries of business and politics, the shock of conflicting aims and interests, the prejudices and perversities of men, shall not cheat him of his own good by making him less just or kind. He stands with the

Eternal for righteousness, and will not suffer that fools or criminals divert him to lower ends.

If we have but the right mind, all things, even those that hurt, help us. "That which befits us," says Emerson, "embosomed in beauty and wonder as we are, is cheerfulness and courage, and the endeavor to realize our aspirations. The life of man is the true romance which when it is valiantly conducted, yields the imagination a higher joy than any fiction." May we not make the stars and the mountains and the all-enduring earth minister to tranquillity of soul, to elevation of mind, and to patient striving? Have not the flowers and the human eye and the look of heaven when the sun first appears or departs, power to show us that God is beautiful and good? Shall not the great, calm Mother whose fair face, despite the storms and battles of all the ages, is still full of repose and strength, teach us the wisdom of brave work without noise or hurry? It seems scarcely possible to live in the presence of nature and not be cured of vanity and conceit. When we see how gently and patiently she effaces or beautifies all traces of convulsions, agonies, defeats, and enmities, we feel that we are able to overcome hate and envy and all ignoble passions.

Since life is great, nay, of inestimable value, no opportunity by which it may be improved can be small. Higher things remain to be done than have yet been accomplished. God and His universe still wait on each individual soul, offering opportunity. In the midst of the humble and inevitable realities of daily life each one must seek out for himself the way to better worlds. Our power, our worth will be proportionate to the industry and perseverance with which we make right use of the ever-recurring minor occasions whether for becoming or for doing good. Opportunity is not wanting—there is place and means for all—but we lack will, we lack faith, hope, and desire, we lack watchfulness, meditation, and earnest striving, we lack aim and purpose. Do we imagine that it is not possible to lead a high life in a lowly room? That one may not be hero, sage, or saint in a factory or a coal-pit, at the handle of the plow or the throttle of the engine? We are all in the center of the same world and whatever happens to us is great, if there be greatness in us. The disbelievers in opportunity are voluble with excuses. They cannot; they have no leisure; they have not the means. But they can if they will; leisure to improve one's self is never wanting, and they who seek find the means. There is always opportunity to do right though he who does it stand alone, like Abdiel,—

> "Among innumerable false, unmoved,
> Unshaken, unseduced, unterrified."

Let a man but have an aim, a purpose, and opportunities to attain his end shall start forth like buds at the kiss of spring. If we do not know what we want, how shall anything be made to serve us? The heedless walk through deserts in which the observant find the most precious things. Little is to be hoped for from the weavers of pretexts, from those who tell us what they should do, if circumstances were other. What hinders helps, where souls are alive. Say not thou lackest talent. What talent had any of the great ones better than their passionate trust in the efficacy of labor?

The important thing is to have an aim and to pursue it with perseverance. What is the aim the wise should propose to themselves? Not getting and possessing, but becoming and being. Man is not only more than anything that can belong to him; he is greater than planets and solar systems. We easily persuade ourselves that were circumstances more favorable we should be better and happier. It may be so, but the mood is weak and foolish. There is never a question of what might have been where true men think and act. The past is irrecoverable. It is our business to do what we can here and now, and regrets serve but to enfeeble and distract us. The boundless good lies near each one, and though a thousand times it has eluded us, let us believe that now we shall hold it fast. From failure to failure we rise toward truth and love. The ascent is possible even for the lowliest of God's creatures. When, indeed, we look backward through long years of life, lost opportunities rise before us like mocking fiends crying, Too late, too late, Nevermore, nevermore; but the wise heed no voice that bids them lose heart. They look ever forward, they press toward the mark, knowing that the present moment is the only opportunity. Now is the day of salvation, now is the day of doom. The individual is but as a bubble that rises from out the infinite ocean of being and bursts in the inane; but his life is nevertheless enrooted in the Absolute, and all the circumstances by which his existence is surrounded and attended are but meant to awaken in him a knowledge and appreciation of his abiding and inestimable worth. They all, therefore, are or may be made opportunities. The paramount consideration is not what will procure for him more money, finer houses, better machines, more rapid or more destructive engines, but what will make him wiser, stronger, holier, more loving, more godlike. The useful is not the best; or shall I say that the most useful is that which serves divine ends, which though it provide not bed or board, illumines, exalts, and enriches the life of man? Emerson rightly affirms that they are beggars who live but to the useful.

All things exist for God and to educate man into his likeness. If

one were but high and pure enough he would scatter blessings as the flower fragrance, and all who came near him would depart made sweet and rich as the air the flower has kissed. To rise daily out of one's self toward truth and beauty and goodness is the secret of becoming day by day more like unto God.

We imagine that we lack material things, but what we really need is more and diviner life. Money is but a remedy for poverty, and poverty is but one of many evils; and if we give our hearts chiefly to riches, we leave ourselves exposed to all the ills that make man miserable, save one.

We find ourselves where we seek ourselves—in matter or in mind, in the low world of mere sensation and base desire, or in that where souls are transfigured by truth and love. Perfection, indeed, is beyond our reach, but they who seriously strive to become perfect acquire excellences and virtues, taste a peace and a joy of which the many have hardly a conception. When we act in the light of the ideal of human perfection, all the ways of life become plain, and opportunity is ever present and appealing. We find it in youth and in age, in glad days and in sad days, in health and in sickness, in poverty and in wealth, in the panorama of nature with its change of seasons, its sunsets and dawns, its mountains and oceans, its plains and rivers, and in the only less marvelous world of literature and art. What are the senses but permanent opportunities, inviting us to look that we may see and know, to listen that we may hear and understand? What is success but a command to attempt still higher things? What is failure but an exhortation to the all-hoping heart of man to make another venture? At whatsoever moment we awaken to the meaning and worth of life there is work for us to do. No one, it may be, will pay us for it, but God and nature are always with us, assisting us in every effort to become wise, strong, and virtuous. If we cannot do great things, there is ever-present opportunity of doing small things well; and great occasions come to those alone who make good use of the hundred minor offices and occurrences with which the lives of all are filled. If we fail in the dangers and temptations which none escape, it is because there is some fault in our daily life, in our habitual state.

Everything has a meaning, has truth and nourishment for those who are wholly alive, and opportunities come crowding in upon them—opportunities to learn, to admire, to love, to cheer, to console, to enlighten and guide. Is there not always opportunity to deny one's self, to refrain from facile and cheap pleasures that we may make ourselves capable of pure joy? Pleasure is the bait on Nature's hook and they who bite are caught. Pleasure is death's forager. If we are but true and high

in the common affairs, nothing shall have power to harm us. Is opportunity lacking to be polite, obliging, discreet and amiable, to listen with attention or to speak what is better than silence, to observe carefully, to bear bravely and to do right? Is it difficult to find occasion for being sincere and honest? Honesty is the best policy, because an honest man, whether or not he get place or money, is a genuine man, self-approved, and pleasing to God. In poverty he is rich, in prison he is free. Whatever his outward fate and fortune, failure cannot touch him, for to be a genuine man is the highest we may know on earth. Is opportunity lacking to speak truth and to live within one's means—to obey the two great commandments, Do not lie, Do not go into debt? Lying makes us vile in our own eyes, and debt makes us slaves.

What innumerable blessings we miss through lack of sensibility, of openness to light, of fair-mindedness, of insight, of teachableness,—virtues which it is possible for all to cultivate! The best is not ours, not because it is far away and unattainable, but because we ourselves are indifferent, narrow, short-sighted, and unsympathetic. To make our world larger and fairer it is not necessary to discover or acquire new objects, but to grow into conscious and loving harmony with the good which is ever-present and inviting. How much of life's joy we lose from want of a fearless and cheerful spirit. The brave and glad-hearted, like the beautiful, are welcome in all companies.

It is our own fault if beauty is not ours. A fair and luminous mind creates a body after its own image. With health and a soul, nor man nor woman can be other than beautiful, whatever the features. The most potent charm is that of expression. As the moonlight clothes the rugged and jagged mountain with loveliness so a noble mind transfigures its vesture.

There is little truth in Voltaire's assertion that opportunity for doing mischief is found a hundred times a day; of doing good, once a year. Doubtless it is easy to fall, easy to descend the downward and open way that leads to ruin, and hard to retrace one's steps; and they who seek occasions for gross indulgence or aught else that is unworthy, find them. Life is full of beauty, it is full of hideousness. To each one is left the choice whether he shall take the good or the evil. They who prefer darkness to light, lies to truth, hatred to love, strife to peace, pleasures to joy, do not lack occasions. Indeed, virtue is difficult, vice easy. Disease, not health, is contagious. Folly comes unsought, wisdom only when entreated.

Evil association more surely corrupts than good improves. Occasion makes the thief, not the honest man. To be idle is pleasant, and the idle are easily tempted and quickly yield. In fact, opportunity is servile

and compliant. What use is to be made of it depends on him to whom it is offered. He may adore or he may mock, he may love or he may scorn, he may get understanding or steep himself in denser ignorance, he may play the hero or prove a coward, become saint or devil. On him it depends whether or not he shall know the right moment, receive the heavenly messenger, and be made glad and strong by the fair countenance of truth.

"This could but have happened once,
And we missed it, lost it forever."

A noble character produces no impression on a vulgar mind. The pure and innocent awaken coarse thoughts in sensual natures. No place is so sacred, no being so holy as not to be perverted to base uses by base men.

The man himself is the best part of the opportunity. The starlit heaven is not sublime when there is no soul capable of awe; the spring is not fair where there is no glad heart to see and feel. Opportunity is living correspondence with one's environment. Where there is no correspondence there is no opportunity. For ages the exhaustless resources of America lay unknown and unutilized, because the right kind of man was not here. The Kimberley diamonds were but worthless pebbles, the playthings of the children of savages, until it chanced that they fell under the eye of one who knew how to look.

All nature is crammed with precious, nay, divine things, for those who can see. Innumerable men and women had seen the kettle boil, but it occurred to only one that the force which lifted the lid might be confined and made to do human service. The man finds or makes his opportunities, and in turn they help to make him. The multitude will not lay hold on opportunity unless it be thrust upon them; and even then they are listless and unresolved; and therefore are they condemned to remain inferior. The few who rise above the crowd are ever alert to discover how they may improve themselves, and become helpers and leaders.

We are born to grow—this is the word which religion, philosophy, literature and art ceaselessly utter; and we can grow only by keeping ourselves in vital communion with the world within and without us. Use or lose is Nature's law; also, use and improve. If a little money is taken from us we make ourselves miserable, and all the while we are permitting the wealth which enriches the mind to slip from us as though it were the dirt from which the gold has been sifted.

There are few whom routine work keeps busy more than ten hours in the twenty-four. Allow eight hours for sleep and two for meals,

and there remain four for self-improvement. How is it possible, you ask, to live without recreation and amusement? Find them in the effort to upbuild your being, and joy and fullness of life shall be yours beyond the reach of kings. Learn to think, and you shall never lack pleasant occupation. Bring your mind into unison with the currents of thought which are found in the books of power, and you need be neither lonely nor depressed. The transfusion of thought is more quickening than the transfusion of blood. As in the midst of battle the soldier is often unconscious of his wounds, so they who have a purpose and seriously pursue it, easily become indifferent to the troubles which make weaker men wretched.

Games and other amusements doubtless have their uses, especially for the young, and for all who are feeble in body or in mind, but when we consider that they are generally occasions for wasting time, and so, a chief obstacle to human advancement, it is difficult not to condemn the apathy, the indifference to the meaning and worth of life which makes possible their universal prevalence. They are least harmful in the home, and even there what irreparable loss they involve! Economy of time is more indispensable than economy of money; for it is a means not only of getting money, but of getting what is vastly higher and more precious—wisdom and virtue. All else may be made good, but time misspent is lost forever. It is the element in which life exists, and to squander it is to dissipate vital force. What increases health and strength of body is good unless it diminish vigor of mind or weaken the will to devote one's self to right human ends. The passion and persistence with which athletic sports are followed in our colleges and universities undermine moral and intellectual ambition just at the time when the formation of character and the acquisition of knowledge are of the highest importance. Those whose ideal is athletic are in danger of not looking higher than the prize-ring. True human power is not physical; its seat is in the mind, in the will, in the conscience. Let our schoolboys be happy and joyous, let them divert themselves, in a free spirit, like gentlemen, but let them not lay the stress of their attention and admiration on rowing or leaping or kicking a ball or hitting it with a bat, nor imagine that great skill of this kind is helpful or desirable. It is generally an accomplishment of those whose spiritual being is callous or superficial. These sports are not the best means even for promoting health and physical culture, which are the result of moderate, not violent exercise, of temperance, cleanliness, sleep, cheerful thoughts and worthy aims followed in a brave and generous spirit. Mere strength of body is not a test either of endurance or vitality. We die from sensual excess, or from despondency,

or from both. Indulgence and disappointment kill more than work, which if it be full of joy and hope, brings length of days. Worry, whatever its source, weakens, takes away courage, and shortens life. Our sons murder us, said a rich man, speaking of a friend who had just died.

The sweet idleness praised by poets and lovers is not idleness, but leisure to give one's self to high thoughts and loftier moods. The really idle are oppressed by a sense of fatigue, and therefore tiresome to themselves and others. Let those who complain of having to work undertake to do nothing. If this do not convert them, nothing will. Those who live in inaction on the fruits of the labors of others lose the power to enjoy, come to feel existence to be a burden, and fall a prey to life-weariness. He sits uneasy at the feast who thinks of the starving; he is not comfortable at his own fireside who remembers those who have none. To know that life is good one must be conscious that he is helping to make it good at least for a few.

Work, not play, is the divine opportunity. The outcome of civilization, if we continue to make progress, must be that to each and everyone work shall be given to do, which while it provides the necessaries and comforts of life, will cheer, strengthen, console, purify, and enlighten; and when this day comes the Nineteenth century shall appear to have been but little better than the Ninth; for a society in which millions are condemned to do dehumanizing work or starve is barbarous.

The century which is now drawing to end has been so filled with wonders, with progress in science and wealth, with discoveries and inventions, that it seems to illumine the pages of history with a blaze of glory. But it is not all light. The failure is as serious as the success is great. The individual has not risen as his knowledge has widened and his environment improved. What he is, is still held to be less important than what he possesses and uses. In the mad race for wealth multitudes are sacrificed as pitilessly as in warfare; they are dragged by competition to the verge of starvation; they are driven to work under conditions which dehumanize. Greed has led to a world-wide struggle as cruel as that of nature, in which only the strongest or the most cunning and conscienceless survive. Our society makes criminals, and our penal institutions harden them in wrong-doing. The people are taxed to support vast armies and to supply them with more and more expensive and effective instruments of murder; and wars are waged not to liberate and uplift weaker races, but to rob and oppress them; and these crimes are committed in the name of religion and civilization. The great powers of Europe look on in stolid indifference while helpless populations are massacred; and America, which has always meant

good-will to men and opportunity for all, seems to be drifting away from what Americans have loved and lived for into the evil company of these Old-World nations, drunken with lust for conquest and lust for gold. While knowledge grows, while man's control over the forces of nature increases, the individual seems to be losing his hold on the principles which underlie right life. The power of sustained thought, of persevering labor for high and unselfish ends, the spirit of sacrifice and devotion, faith and hope, the love of liberty and independence are, it is to be feared, diminishing.

There is still evil enough in the world to save us from self-complacency, from the foolish and vulgar habit of self-laudation, but the triumphs of the Nineteenth century have been sufficiently real and great to inspire confidence and courage in the young who are preparing to take their place in the Twentieth as strong and faithful workers in every righteous cause. Here in America, above all, the new age approaches offering opportunity. Here only a beginning has been made; we have but felled the forest, and drained the marsh, and bridged the river and built the road; but cleared the wildwood and made wholesome the atmosphere for a more fortunate race, whom occasion shall invite to greater thoughts and more godlike deeds. We stand in the front rank of those who face life, dowered with all the instruments of power which the labors of the strongest and wisest in all time and place have provided.

We might have been born savages or slaves, in a land of cannibals or tyrants; but we enter life welcomed by all that gives worth and joy, courage and security to man. There is inspiration in the air of America. Here all is fresh and young, here progress is less difficult, here there is hope and confidence, here there is eagerness to know and to do. Here they who are intelligent, sober, industrious and self-denying may get what money is needed for leisure and independence, for the founding of a home and the right education of children,—the wealth which strengthens and liberates, not the excess which undermines and destroys. The material is good but in so far as it is a means to spiritual good. The power to think and appreciate the thoughts of others, to love and to be happy in the joy, the courage, the beauty, and the goodness of others, lifts us above our temporal environment, and endows us with riches of which money can never be the equivalent. A great thought or a noble love, like a beautiful object, bears us away from the hard and narrow world of our selfish interests, dips us in the clear waters of pure delight, and makes us glad as children who lie in the shade and catch the snowy blossoms as they fall.

No true man ever believes that it is not possible to do great things

without great riches. When, therefore, we say with Emerson, that America is but a name for opportunity, we do not emphasize its material resources or the facility with which they may be made available. He who knows that the good of life lies within and that it is infinite, capable of being cherished and possessed more and more by whoever seeks it with all his heart, understands that a little of what is external is sufficient and is not hard to acquire. He, therefore, neither gives himself to the pursuit of wealth or fame or pleasure or position, nor thinks those fortunate who are rich in these things. He feels that the worst misfortune is not the loss of money or friends or reputation, but the loss of inner strength and wholeness, of faith in God and man, of self-respect, of the desire for knowledge and virtue. The darkened mind, the callous heart, the paralytic will—these are the root evils. Is a man a real being, with an element of freedom, responsibility and permanence in his constitution, or is he but a phantom, a bubble that rises and floats for a moment, and then bursts in the boundless inane, where all things disappear and are no more? This is the radical question, for if the individual wholly ceases to be at death, the race itself is but a parasite of a planet which is slowly perishing; and life's formula is—from nothing to nothing. But nothingness is inconceivable, for to think is to be conscious of being: something exists; therefore something has always existed. Being is a mental conception; and when we affirm that it is eternal we affirm the eternity of mind, that mind is involved in the nature of things. It is the consciousness of this that makes it impossible for the soul to accept a mechanical theory of the universe or to rest content with what is material. It is akin to the infinite Spirit, and for man opportunity is opportunity to develop his true self, to grow in wisdom and love. What he yearns for in his deepest heart is not to eat and drink, but to live in ever-increasing conscious communion with the vital truth which is the soul's nourishment, the element in which faith and hope and freedom thrive.

The modern mind, having gained a finer insight into the play of the forces of nature, which are ceaselessly being transformed into new modes of existence, seems threatened with loss of the power of perceiving the Eternal. But this enfeeblement and perturbation are temporary, and on our wider knowledge we shall build a nobler and more glorious temple wherein to believe and serve, to love and pray. That man, who lives but a day and is but an atom, should imagine that he partakes of the attributes of the eternal and absolute Being, would seem to be absurd. None the less all that is most real and highest in him impels to this belief. To lose it is to lose faith in the meaning and worth of life; is to abandon the principle that issues in the heroic

struggles and sufferings, by which freedom, civilization, art, science, and religion have been won and secured as the chief blessings of the race. It is not possible to find true joy except in striving for the infinite, for something we have not yet, which we can never have, here at least. Hence, whatever purpose a man cherish, whatever task he set himself, he finds his work stretching forth endlessly. The more he attains the more clearly he perceives the boundless unattained. His success is ever becoming failure, his riches poverty, his knowledge ignorance, his virtue vice. The higher he rises in power of thought and love, the more what he thinks and loves seems to melt away and disappear in the abysmal depths of the All-perfect Being, who is forever and forever, of whom he is born, and whom to seek through endless time were a blessed lot. It is the hope of finding Him that lures the soul to unseen worlds, lifts it out of the present, driving it to the past and the future, that it may live with vanished saints and heroes, or with the diviner men who yet shall be.

The best moments are those in which we stay within ourselves, alone with God and all His world of truth and beauty. This is the sage's delight; this the student's. This is the ever-welling source of joy for all who cherish the soul and bear it company. This is the solitude which for open minds and pure hearts is peopled with high thoughts and blissful yearnings. In the crowd, in the society even of one or two these heavenly visitations never or seldom come. By the harvest we reap from the inner eye's contemplations we are nourished and strengthened to bear and do our share in the sufferings and achievements of the wise and good. Lovers themselves feel most the blessedness of love when they are parted, left to visions and dreams of the ideals by which they are haunted.

"Where a man can live, he can also live well; but he may have to live in a palace," says Marcus Aurelius, implying that right life is most difficult in high places. Why, then, should we wish to dwell in a great city or to have great wealth or notoriety? These things are distractions and hindrances. They draw us from out the depths of the soul and thrust us into the midst of noise and confusion, of strife and envy, or they lead us into the pitfalls of sensuality, taking us away from ourselves to make us the sport of the mob of time-servers and idlers. To live for an hour alone with God gives us a more intimate sense of the value and sacredness of life than to dwell for years in the company of worldlings. O highest and best, source of all, of all father, guide, and nourisher, from out the midst of infinite mystery and suffering we look to Thee! On Thee our faith and hope and love, on Thee our need and despair still call. We cannot grasp Thy being or comprehend

Thy ways. We can but know Thy truth, Thy goodness, and Thy beauty. It is enough: Thou art with us; in Thee we live. What Thou doest is eternally right; on Thee we throw the burden of our lives. Thou art, Thou hast ever been, Thou shalt be forever; Thou holdest us in Thy sight whether we live or whether we die.

The measure of the value of opportunity is its influence on religious and moral life. We are athirst for God, and finding Him not we harden to mere materialists, or sink into lethargy, or drown consciousness in the sloughs of sensuality. In the end, each one has but himself, and if God be not in that self, he is poor and wretched, though he possess a universe; for with a few spadefuls of earth on his head it will all be over, forever. The vanity, the nothingness of the individual, when his existence is thrown against the background of eternity and infinity, is appalling, but when it is lifted into the light and life of the Almighty Father, who is truth and love and righteousness, it acquires divine meaning and worth.

To throw away life is the greatest crime we can commit. It is our duty to live; therefore it is our duty to live in ever-increasing completeness of faith and love, of wisdom and power; for if we cease to grow, we begin to die. The body indeed is doomed to decay, but the soul was made to rise toward God throughout eternity. The only right opportunities, then, are those which help to make us god-like—strong, patient, active, fair, wise, benevolent, useful, and holy.

Genuine progress is spiritual. The man has higher value than the machine. Nietzsche holds that it would be right and admirable to sacrifice all men actually existing, if it were possible thereby to originate a stronger species. This, he says, would be real progress. But if there is no divine Being, no immortal life, this mightier superhuman, who would also have keener insight, would but see more clearly the misery and futility of existence. Let us rather listen to Matthew Arnold, when he declares that whatever progress may be made in science, art, and literary culture, however much higher, more general and more effective than at present the value for them may become, Christianity will be still there, as what these rest against and imply; as the indispensable background, the three-fourths of life. It is only when we walk in the spirit and follow in the footsteps of the Son of God, that we come to understand that life is opportunity, rich as earth, wide as heaven, deep as the soul.

We weary of everything,—of labor, of rest, of pleasure, of success, of the company of friends, and of our own, but not of the divine presence uttering itself in hope and love, in peace and joy. They who live with sensual thoughts and desires soon come to find them a burden and

a blight; but the lowly-minded and the clean in heart, who are busy with whatsoever things are true and fair and good, feel themselves in a serene world where it is always delightful to be. When we understand that all is from God and for Him, and turn our wills wholly to Him, trouble, doubt, and anxiety die away, and the soul rests in the calm and repose that belong to whatever is eternal. He sees all and is not disturbed. Why should we be filled with apprehension because there are ripples in the little pond where our lifeboat floats?

Since He has made us for everlasting bliss, He has made us to be happy now in the work that lies at our hand or in the sorrow and suffering we must bear. Whatever brings a high thought or a gentle or a generous mood is consecrated as though wafted to us from the wings of angels. Had we the power to gratify every wish and whim, human life would become impossible. God's love is as manifest when He hems us in as when He enlarges the bounds in which He permits us to move. We ask blindly for many things, when all that we need is that He guide us. "Thy will be done," is the sum of all true worship and right prayer. The rest is aside from the divine purpose, and could it be realized would make the world a chaos or a desert. We should not love the flowers if it were always spring; and our purest pleasures would pall did not pain and loss come to teach us their worth.

Life is action; but to be passive, awaiting the utterances of God, through whatever medium they may come, is often the highest wisdom. To souls that are calmly expectant, whisperings become audible, as in the silence of serene nights, which tell of diviner worlds, where it is eternally well with the gentle, the loving, and the pure of heart.

There is no worse perversion of Christian truth than to maintain that the Savior taught that to make one's self miserable here is the means of attaining future blessedness. They who follow Him walk in the way of peace and joy. They are unfraid. They dwell in a heavenly kingdom. The Omnipotent is their father, with them in death as in life. They need little, nor fear to lack that little. Suffering makes them wise and strong. They are able to be of help, for they think not of themselves. They do no evil, and therefore can suffer none. They despise not this present life, for they are conscious that even now they are with God and are immortal. Since universal love is the law of Christ's religion, they thrust forth whatever may foster the spirit of distrust and alienation. It is weakness and ignorance to imagine that to dislike those who have a creed or a country other than ours, is proof of piety and patriotism. The bitterness we cherish against others makes our own lives bitter; the wrong we do them we ourselves must

suffer. We play the Pharisee when we think or believe as though we were superior to the rest of men.

The followers of the Divine Master best know that true men need not great opportunities. He himself met with no occasions which may not be offered to anyone. His power and goodness are most manifest amidst the simplest and lowliest surroundings. To beggars, fishermen, and shepherds He speaks words which resound throughout the ages and still awaken in myriad hearts echoes from higher worlds. Whether He walks amid the cornfields, or sits by the well, or from a boat or a hillside speaks to the multitude; whether He confronts the elders who bring Him the guilty woman, or stands before Pilate, or hangs on the cross, He is equally noble, fair, and God-like. The lesson He teaches by word and deed is that we should not wait for opportunity, but that the secret of true life and best achievement lies in doing well the thing the heavenly Father gives us to do. He who throws himself resolutely and with perseverance into a course of worthy action will at last hear the discords of human existence die away into harmonies; for if the voice within whispers that all is well, it is fair weather, however the clouds may lower or the lightning play. What we habitually love and live by, will, in due season, bud, blossom, and bear fruit.

Whatever opportunity is favorable to genuine life, to its joy, purity, beauty, and power, is good; whatever occasion is hurtful to such life is evil. In each one's path through the world there are a thousand pitfalls, into any one of which he may step unawares. Let us take heed therefore and choose our way.

Let a man have a purpose, let him resolve and labor to make of himself a good mechanic, or merchant, or farmer, or lawyer, or doctor, or teacher, or priest; but first of all let him have the will and the courage to make of himself a true man, for else there shall be no worth in him. On the miser, the drunkard, the liar, the lecher, the thief, no blessings can fall. Our value is measured by that of the things we believe, know, love, and strenuously strive to accomplish. Make no plans, entertain no schemes. Think and do day by day the best thou art able to think and do. This is the open secret, which all might learn and which only a few know. But to them it reveals the way to the highest and the holiest.

Busy thyself not with what should be corrected or abolished; but give thyself wholly to learning, loving, and diffusing what is good and fair. The spirit of the creator is more joyful and more potent than that of the critic or reformer. Budding life pushes away the things that are dead; and if thou art a wellspring of vital force, thou shouldst not be a grave-digger. The test of a man's strength and worth is

not so much what he accomplishes as what he overcomes. When circumstances favor, the lesser man may do the greater work, as cowards who are armed conquer heroes who are weaponless. He who has made his own the spiritual wealth of all the ages, knows more and can do more than the mighty men of the past, who excell him in natural endowment and in virtue. The wise therefore are not exalted in their own conceit by the advantages and opportunities they enjoy, but they are made humble rather when they remember the greater and worthier men, who lacking all save honest minds and true hearts, hewed their way through a thousand obstacles to freedom and light.

Few can utter words of wisdom, but opportunity to speak kind words is offered to everyone; they are more helpful. When we are thrown with persons who have feeble mental culture, but who are mild, simple, and true, we feel how little intellectual accomplishments contribute to form what is best in man. They who have the mother virtues are not injured by their ignorance of the objections which would discredit all virtue. The best is within the reach of all; therefore it is not to be found in great possessions or exalted position or abstruse thoughts. The reward of all right life is increase of the power of living rightly. The world can give to the hero or the saint nothing that is comparable to the growing strength and joy there is in being a hero or a saint. "To be spiritually minded is life and peace." Opportunity for many things may be lacking, but it is always possible to do what belongs to one's condition; and if it be only to wait and suffer, the right spirit will make this enough.

Whatever is inevitable or irremediable is, in so far, part of the divine purpose, and to accept it with a grave trustfulness is the only wisdom; but let us be slow to believe that a thing is inevitable or irremediable. Walk perseveringly in the light of a great purpose, and difficulties shall disappear, even as the horizon recedes before the advancing step. Have faith in thyself and in God, and thou shalt be born upward and onward as by invisible tireless wings fanning the ethereal element, where the soul breathes its proper atmosphere and knows no doubt nor fear. If small things are given thee to do, do them as though they were great, since for thee their significance is infinite.

We are the slaves of our needs—the fewer they are, the freer are we; the higher they are, the nobler the masters we serve. Not independence, but interdependence, is the law of our life. It is only in ministering to one another, in bearing one another's burdens, in sharing one another's joys, that we become human and truly live. Let us draw closer together, that we may feel the pulsings of divine sympathy and love in one another's hearts. If we stand apart we shall be stranded in the

great river, we shall miss the good of living, we shall lose God. Life is communion and helpfulness; death is disintegration and impotence. A spiritual empire, a heavenly kingdom can be constituted and sustained only by the moral and mental union and communion of its citizens, and this can be brought about and kept vital only by right education. When a noble faith and great thoughts strike root in the heart and mind of a people, it is held together by bonds which no catastrophe, no conquest, no dismemberment or dispersion can loosen; and without a noble faith and great thoughts neither military power nor vast territory nor wealth can give to a people a permanent place in history or a lasting influence on the progress of the race. All else passes and becomes as though it had not been, but what the world once recognizes and accepts as a vital truth, as an ideal of human perfection which cannot be outgrown, remains a possession forever to purify and enrich life.

Opportunity in the highest sense of the word is opportunity for education, for making ourselves men. This end every occasion should serve, since for this we are born. "We should, as far as it is possible," says Aristotle, "make ourselves immortal, and strive to live by that part of ourselves which is most excellent." Now, the testimony of the wise of all ages agrees that a virtuous life is the best and the happiest. Choose and follow it then though thou find it hard; for custom will make it easy and pleasant. Piety nourishes faith, hope, and love, and therefore sustains life. If thou seekest for what is new and also permanently interesting, live with the old truths, until they strike root in thy being and break into new light and power. The happenings of the day and year are but novelties, but bubbles that burst in the vacant air; that which is forever new is ancient as God. It is that whereby the soul lives. It was with the first man when first he blossomed forth from eternity; it is with thee now and shall be with all men until the end. It is the source whence thy being springs: its roots dip into infinity; its flowers make the universe glad and sweet; it is the power which awakens the soul to the consciousness of its kinship with Him who is all in all, who is life and truth and love, who the more He is sought and loved doth seem to be the more divinely beautiful and good. Learn to live with the thoughts which are symbols of His Eternal Being. and thou shalt come to feel that nothing else is so fresh or fair. As a sound may suggest light and color, a perfume recall forgotten worlds; as a view, disclosed by a turn in the road may carry us across years and oceans to scenes and friends long unvisited; as a bee weaving his winding path from flower to flower may bring back the laughter of children, the songs of birds, and the visionary clouds fallen asleep in the

voluptuous sky of June; so the universe will come to utter for us the voice of the Creator, who is our Father. Nothing touches the soul but leaves its impress, and thus, little by little, we are fashioned into the image of all we have seen and heard, known and meditated; and if we learn to live with all that is fairest and purest and best, the love of it all will in the end become our very life.

§ 37

THE MAN WITH THE MUCK-RAKE

By Theodore Roosevelt

(Delivered at the laying of the corner-stone of the office building of the House of Representatives, April 14, 1906.)

Over a century ago Washington laid the corner-stone of the Capitol in what was then little more than a tract of wooded wilderness here beside the Potomac. We now find it necessary to provide by great additional buildings for the business of the government. This growth in the need for the housing of the government is but a proof and example of the way in which the nation has grown and the sphere of action of the national government has grown. We now administer the affairs of a nation in which the extraordinary growth of population has been outstripped by the growth of wealth and the growth in complex interests. The material problems that face us to-day are not such as they were in Washington's time, but the underlying facts of human nature are the same now as they were then. Under altered external form we war with the same tendencies toward evil that were evident in Washington's time, and are helped by the same tendencies for good. It is about some of these that I wish to say a word to-day.

In Bunyan's "Pilgrim's Progress" you may recall the description of the Man with the Muck-rake, the man who could look no way but downward, with the muck-rake in his hand; who was offered a celestial crown for his muck-rake, but who would neither look up nor regard the crown he was offered, but continued to rake to himself the filth of the floor.

In "Pilgrim's Progress" the Man with the Muck-rake is set forth as the example of him whose vision is fixed on carnal instead of on spiritual things. Yet he also typifies the man who in this life consistently refuses to see aught that is lofty, and fixes his eyes with solemn in-

See page 485.

tentness only on that which is vile and debasing. Now it is very necessary that we should not flinch from seeing what is vile and debasing. There is filth on the floor, and it must be scraped up with the muck-rake; and there are times and places where this service is the most needed of all the services that can be performed. But the man who never does anything else, who never thinks or speaks or writes save of his feats with the muck-rake, speedily becomes, not a help to society, not an incitement to good, but one of the most potent forces for evil.

There are, in the body politic, economic and social, many and grave evils, and there is urgent necessity for the sternest war upon them. There should be relentless exposure of and attack upon every evil man, whether politician or business man, every evil practice, whether in politics, in business, or in social life. I hail as a benefactor every writer or speaker, every man who, on the platform, or in book, magazine, or newspaper, with merciless severity makes such attack, provided always that he in his turn remembers that the attack is of use only if it is absolutely truthful. The liar is no whit better than the thief, and if his mendacity takes the form of slander, he may be worse than most thieves. It puts a premium upon knavery untruthfully to attack an honest man, or even with hysterical exaggeration to assail a bad man with untruth. An epidemic of indiscriminate assault upon character does no good, but very great harm. The soul of every scoundrel is gladdened whenever an honest man is assailed, or even when a scoundrel is untruthfully assailed.

Now, it is easy to twist out of shape what I have just said, easy to affect to misunderstand it, and, if it is slurred over in repetition, not difficult really to misunderstand it. Some persons are sincerely incapable of understanding that to denounce mud-slinging does not mean the indorsement of whitewashing; and both the interested individuals who need whitewashing, and those others who practise mud-slinging, like to encourage such confusion of ideas. One of the chief counts against those who make indiscriminate assault upon men in business or men in public life is that they invite a reaction which is sure to tell powerfully in favor of the unscrupulous scoundrel who really ought to be attacked, who ought to be exposed, who ought, if possible, to be put in the penitentiary. If Aristides is praised overmuch as just, people get tired of hearing it; and overcensure of the unjust finally and from similar reasons results in their favor.

Any excess is almost sure to invite a reaction; and, unfortunately, the reaction, instead of taking the form of punishment of those guilty of the excess, is very apt to take the form either of punishment of the unoffending or of giving immunity, and even strength, to offenders. The

effort to make financial or political profit out of the destruction of character can only result in public calamity. Gross and reckless assaults on character, whether on the stump or in newspaper, magazine, or book, create a morbid and vicious public sentiment, and at the same time act as a profound deterrent to able men of normal sensitiveness and tend to prevent them from entering the public service at any price. As an instance in point, I may mention that one serious difficulty encountered in getting the right type of men to dig the Panama Canal is the certainty that they will be exposed, both without, and, I am sorry to say, sometimes within, Congress, to utterly reckless assaults on their character and capacity.

At the risk of repetition, let me say again that my plea is not for immunity to, but for the most unsparing exposure of, the politician who betrays his trust, of the big business man who makes or spends his fortune in illegitimate or corrupt ways. There should be a resolute effort to hunt every such man out of the position he has disgraced. Expose the crime, and hunt down the criminal; but remember that even in the case of crime, if it is attacked in sensational, lurid, and untruthful fashion, the attack may do more damage to the public mind than the crime itself. It is because I feel that there should be no rest in the endless war against the forces of evil that I ask that the war be conducted with sanity as well as with resolution. The men with the muckrakes are often indispensable to the well-being of society; but only if they know when to stop raking the muck, and to look upward to the celestial crown above them, to the crown of worthy endeavor. There are beautiful things above and round about them; and if they gradually grow to feel that the whole world is nothing but muck, their power of usefulness is gone. If the whole picture is painted black, there remains no hue whereby to single out the rascals for distinction from their fellows. Such painting finally induces a kind of moral color-blindness; and people affected by it come to the conclusion that no man is really black, and no man really white, but that all are gray. In other words, they believe neither in the truth of the attack nor in the honesty of the man who is attacked; they grow as suspicious of the accusation as of the offense; it becomes well-nigh hopeless to stir them either to wrath against wrong-doing or to enthusiasm for what is right; and such a mental attitude in the public gives hope to every knave, and is the despair of honest men.

To assail the great and admitted evils of our political and industrial life with such crude and sweeping generalizations as to include decent men in the general condemnation means the searing of the public conscience. There results a general attitude either of cynical belief

in and indifference to public corruption or else of a distrustful inability to discriminate between the good and the bad. Either attitude is fraught with untold damage to the country as a whole. The fool who has not sense to discriminate between what is good and what is bad is well-nigh as dangerous as the man who does discriminate and yet chooses the bad. There is nothing more distressing to every good patriot, to every good American, than the hard, scoffing spirit which treats the allegation of dishonesty in a public man as a cause for laughter. Such laughter is worse than the crackling of thorns under a pot, for it denotes not merely the vacant mind, but the heart in which high emotions have been choked before they could grow to fruition.

There is any amount of good in the world, and there never was a time when loftier and more disinterested work for the betterment of mankind was being done than now. The forces that tend for evil are great and terrible, but the forces of truth and love and courage and honesty and generosity and sympathy are also stronger than ever before. It is a foolish and timid, no less than a wicked, thing to blink the fact that the forces of evil are strong, but it is even worse to fail to take into account the strength of the forces that tell for good. Hysterical sensationalism is the very poorest weapon wherewith to fight for lasting righteousness. The men who, with stern sobriety and truth, assail the many evils of our time, whether in the public press, or in magazines, or in books, are the leaders and allies of all engaged in the work for social and political betterment. But if they give good reasons for distrust of what they say, if they chill the ardor of those who demand truth as a primary virtue, they thereby betray the good cause, and play into the hands of the very men against whom they are nominally at war.

In his "Ecclesiastical Polity" that fine old Elizabethan divine, Bishop Hooker, wrote:—

"He that goeth about to persuade a multitude that they are not so well governed as they ought to be shall never want attentive and favorable hearers, because they know the manifold defects whereunto every kind of regimen is subject; but the secret lets and difficulties which in public proceeding are innumerable and inevitable, they have not ordinarily the judgment to consider."

This truth should be kept constantly in mind by every free people desiring to preserve the sanity and poise indispensable to the permanent success of self-government. Yet, on the other hand, it is vital not to permit this spirit of sanity and self-command to degenerate into mere mental stagnation. Bad though a state of hysterical excitement is, and evil though the results are which come from the violent oscillations such excitement invariably produces, yet a sodden acquiescence in

evil is even worse. At this moment we are passing through a period of great unrest—social, political, and industrial unrest. It is of the utmost importance for our future that this should prove to be not the unrest of mere rebelliousness against life, of mere dissatisfaction with the inevitable inequality of conditions, but the unrest of a resolute and eager ambition to secure the betterment of the individual and the nation. So far as this movement of agitation throughout the country takes the form of a fierce discontent with evil, of a determination to punish the authors of evil, whether in industry or politics, the feeling is to be heartily welcomed as a sign of healthy life.

If, on the other hand, it turns into a mere crusade of appetite against appetite, a contest between the brutal greed of the "have-nots" and the brutal greed of the "haves," then it has no significance for good, but only for evil. If it seeks to establish a line of cleavage, not along the line which divides good men from bad, but along that other line, running at right angles thereto, which divides those who are well off from those who are less well off, then it will be fraught with immeasurable harm to the body politic.

We can no more and no less afford to condone evil in the man of capital than evil in the man of no capital. The wealthy man who exults because there is a failure of justice in the effort to bring some trust magnate to an account for his misdeeds is as bad as, and no worse than, the so-called labor leader who clamorously strives to excite a foul class feeling on behalf of some other labor leader who is implicated in murder. One attitude is as bad as the other and no worse; in each case the accused is entitled to exact justice; and in neither case is there need of action by others which can be construed into an expression of sympathy for crime. There is nothing more antisocial in a democratic republic like ours than such vicious class-consciousness. The multi-millionaires who band together to prevent the enactment of proper laws for the supervision of the use of wealth, or to assail those who resolutely enforce such laws, or to exercise a hidden influence upon the political destines of parties or individuals in their own personal interest, are a menace to the whole community; and a menace at least as great is offered by those laboring men who band together to defy the law, and by their openly used influence to coerce law-upholding public officials. The apologists for either class of offenders are themselves enemies of good citizenship; and incidentally they are also, to a peculiar degree, the enemies of every honest-dealing corporation and every law-abiding labor-union.

It is a prime necessity that if the present unrest is to result in permanent good, the emotion shall be translated into action, and that the action

shall be marked by honesty, sanity, and self-restraint. There is mighty little good in a mere spasm of reform. The reform that counts is that which comes through steady, continuous growth; violent emotionalism leads to exhaustion.

It is important to this people to grapple with the problems connected with the amassing of enormous fortunes and the use of those fortunes, both corporate and individual, in business. We should discriminate in the sharpest way between fortunes well won and fortunes ill won; between those gained as an incident to performing great services to the community as a whole, and those gained in evil fashion by keeping just within the limits of mere law-honesty. Of course no amount of charity in spending such fortunes in any way compensates for misconduct in making them. As a matter of personal conviction, and without pretending to discuss the details or formulate the system, I feel that we shall ultimately have to consider the adoption of some such scheme as that of a progressive tax on all fortunes, beyond a certain amount, either given in life or devised or bequeathed upon death to any individual—a tax so framed as to put it out of the power of the owner of one of these enormous fortunes, to hand on more than a certain mount to any one individual; the tax, of course, to be imposed by the national and not the State government. Such taxation should, of course, be aimed merely at the inheritance or transmission in their entirety of those fortunes swollen beyond all healthy limits.

Again, the national government must in some form exercise supervision over corporations engaged in interstate business—and all large corporations are engaged in interstate business,—whether by license or otherwise, so as to permit us to deal with the far-reaching evils of overcapitalization. This year we are making a beginning in the direction of serious effort to settle some of these economic problems by the railway rate legislation. Such legislation, if so framed, as I am sure it will be, as to secure definite and tangible results, will amount to something of itself; and it will amount to a great deal more in so far as it is taken as a first step in the direction of a policy of superintendence and control over corporate wealth engaged in interstate commerce, this superintendence and control not to be exercised in a spirit of malevolence toward the men who have created the wealth, but with the firm purpose both to do justice to them and to see that they in their turn do justice to the public at large.

The first requisite in the public servants who are to deal in this shape with corporations, whether as legislators or as executives, is honesty. This honesty can be no respecter of persons. There can be no such thing as unilateral honesty. The danger is not really from corrupt cor-

porations: it springs from the corruption itself, whether exercised for or against corporations.

The eighth commandment reads, "Thou shalt not steal." It does not read, "Thou shalt not steal from the rich man." It does not read, "Thou shalt not steal from the poor man." It reads simply and plainly, "Thou shalt not steal." No good whatever will come from that warped and mock morality which denounces the misdeeds of men of wealth and forgets the misdeeds practised at their expense; which denounces bribery, but blinds itself to blackmail; which foams with rage if a corporation secures favors by improper methods, and merely leers with hideous mirth if the corporation is itself wronged. The only public servant who can be trusted honestly to protect the rights of the public against the misdeeds of a corporation is that public man who will just as surely protect the corporation itself from wrongful aggression. If a public man is willing to yield to popular clamor and do wrong to the men of wealth or to rich corporations, it may be set down as certain that if the opportunity comes he will secretly and furtively do wrong to the public in the interest of a corporation.

But, in addition to honesty, we need sanity. No honesty will make a public man useful if that man is timid or foolish, if he is a hot-headed zealot or an impracticable visionary. As we strive for reform, we find that it is not at all merely the case of a long up-hill pull. On the contrary, there is almost as much of breeching work as of collar work; to depend only on traces means that there will soon be a runaway and an upset. The men of wealth who to-day are trying to prevent the regulation and control of their business in the interest of the public by the proper government authorities will not succeed, in my judgment, in checking the progress of the movement. But if they did succeed, they would find that they had sown the wind and would surely reap the whirlwind, for they would ultimately provoke the violent excesses which accompany a reform coming by convulsion instead of by steady and natural growth.

On the other hand, the wild preachers of unrest and discontent, the wild agitators against the entire existing order, the men who act crookedly, whether because of sinister design or from mere puzzle-headedness, the men who preach destruction without proposing any substitute for what they intend to destroy, or who propose a substitute which would be far worse than the existing evils,—all these men are the most dangerous opponents of real reform. If they get their way, they will lead the people into a deeper pit than any into which they could fall under the present system. If they fail to get their way, they will still do incalculable harm by provoking the kind of reaction which, in its revolt

against the senseless evil of their teaching, would enthrone more securely than ever the very evils which their misguided followers believe they are attacking.

More important than aught else is the development of the broadest sympathy of man for man. The welfare of the wage-worker, the welfare of the tiller of the soil—upon this depends the welfare of the entire country; their good is not to be sought in pulling down others; but their good must be the prime object of all our statesmanship.

Materially we must strive to secure a broader economic opportunity for all men, so that each shall have a better chance to show the stuff of which he is made. Spiritually and ethically we must strive to bring about clean living and right thinking. We appreciate that the things of the body are important; but we appreciate also that the things of the soul are immeasurably more important. The foundation-stone of national life is, and ever must be, the high individual character of the average citizen.

§ 38

ABRAHAM LINCOLN

By Woodrow Wilson

(Address delivered on the occasion of the acceptance by the War Department of the gift to the nation of the Lincoln birthplace farm at Hodgenville, Kentucky, September 4, 1916.)

No more significant memorial could have been presented to the nation than this. It expresses so much of what is singular and noteworthy in the history of the country; it suggests so many of the things that we prize most highly in our life and in our system of government. How eloquent this little house within this shrine is of the vigor of democracy! There is nowhere in the land any home so remote, so humble, that it may not contain the power of mind and heart and conscience to which nations yield and history submits its processes. Nature pays no tribute to aristocracy, subscribes to no creed of caste, renders fealty to no monarch or master of any name or kind. Genius is no snob. It does not run after titles or seek by preference the high circles of society. It affects humble company as well as great. It pays no special tribute to universities or learned societies or conventional standards of greatness, but serenely chooses its own comrades, its own haunts,

See page 488.

its own cradle even, and its own life and adventure and training. Here is proof of it. This little hut was the cradle of one of the great sons of men, a man of singular, delightful, vital genius who presently emerged upon the great stage of the nation's history, gaunt, shy, ungainly, but dominant and majestic, a natural ruler of men, himself inevitably the central figure of the great plot. No man can explain this, but every man can see how it demonstrates the vigor of democracy, where every door is open, in every hamlet and countryside, in city and wilderness alike, for the ruler to emerge when he will and claim his leadership in the free life. Such are the authentic proofs of the validity and vitality of democracy.

Here, no less, hides the mystery of democracy. Who shall guess this secret of nature and providence and a free polity? Whatever the vigor and vitality of the stock from which he sprang, its mere vigor and soundness do not explain where this man got his great heart that seemed to comprehend all mankind in its catholic and benignant sympathy, the mind that sat enthroned behind those brooding, melancholy eyes, whose vision swept many an horizon which those about him dreamed not of,—that mind that comprehended what it had never seen, and understood the language of affairs with the ready ease of one to the manner born,—or that nature which seemed in its varied richness to be the familiar of men of every way of life. This is the sacred mystery of democracy; that its richest fruit spring up out of soils which no man has prepared and in circumstances amidst which they are the least expected. This is a place alike of mystery and of reassurance.

It is likely that in a society ordered otherwise than our own Lincoln could not have found himself or the path of fame and power upon which he walked serenely to his death. In this place it is right that we should remind ourselves of the solid and striking facts upon which our faith in democracy is founded. Many another man besides Lincoln has served the nation in its highest places of counsel and of action whose origins were as humble as his. Though the greatest example of the universal energy, richness, stimulation, and force of democracy, he is only one example among many. The permeating and all-pervasive virtue of the freedom which challenges us in America to make the most of every gift and power we possess every page of our history serves to emphasize and illustrate. Standing here in this place, it seems almost the whole of the stirring story.

Here Lincoln had his beginnings. Here the end and the consummation of that great life seem remote and a bit incredible. And yet there was no break anywhere between beginning and end, no lack of natural sequence anywhere. Nothing really incredible happened. Lincoln was

unaffectedly as much at home in the White House as he was here. Do you share with me the feeling, I wonder, that he was permanently at home nowhere? It seems to me that in the case of a man,—I would rather say of a spirit,—like Lincoln the question *where* he was is of little significance, that it is always *what* he was that really arrests our thought and takes hold of our imagination. It is the spirit always that is sovereign. Lincoln, like the rest of us, was put through the discipline of the world,—a very rough and exacting discipline for him, an indispensable discipline for every man who would know what he is about in the midst of the world's affairs; but his spirit got only its schooling there. It did not derive its character or its vision from the experiences which brought it to its full revelation. The test of every American must always be, not where he is, but what he is. That, also, is of the essence of democracy, and is the moral of which this place is most gravely expressive.

We would like to think of men like Lincoln and Washington as typical Americans, but no man can be typical who is so unusual as these great men were. It was typical of American life that it should produce such men with supreme indifference as to the manner in which it produced them, and as readily here in this hut as amidst the little circle of cultivated gentlemen to whom Virginia owed so much in leadership and example. And Lincoln and Washington were typical Americans in the use they made of their genius. But there will be few such men at best, and we will not look into the mystery of how and why they come. We will only keep the door open for them always, and a hearty welcome, —after we have recognized them.

I have read many biographies of Lincoln; I have sought out with the greatest interest the many intimate stories that are told of him, the narratives of nearby friends, the sketches at close quarters, in which those who had the privilege of being associated with him have tried to depict for us the very man himself "in his habit as he lived"; but I have nowhere found a real intimate of Lincoln's. I nowhere get the impression in any narrative or reminiscence that the writer had in fact penetrated to the heart of his mystery, or that any man could penetrate to the heart of it. That brooding spirit had no real familiars. I get the impression that it never spoke out in complete self-revelation, and that it could not reveal itself completely to anyone. It was a very lonely spirit that looked out from underneath those shaggy brows and comprehended men without fully communing with them, as if, in spite of all its genial efforts at comradeship, it dwelt apart, saw its visions of duty where no man looked on. There is a very holy and very terrible isolation for the conscience of every man who seeks to read the destiny in

affairs for others as well as for himself, for a nation as well as for individuals. That privacy no man can intrude upon. That lonely search of the spirit for the right perhaps no man can assist. This strange child of the cabin kept company with invisible things, was born into no intimacy but that of its own silently assembling and deploying thoughts.

I have come here to-day, not to utter a eulogy on Lincoln; he stands in need of none, but to endeavor to interpret the meaning of this gift to the nation of the place of his birth and origin. Is not this an altar upon which we may forever keep alive the vestal fire of democracy as upon a shrine at which some of the deepest and most sacred hopes of mankind may from age to age be rekindled? For these hopes must constantly be rekindled, and only those who live can rekindle them. The only stuff that can retain the life-giving heat is the stuff of living hearts. And the hopes of mankind cannot be kept alive by words merely, by constitutions and doctrines of right and codes of liberty. The object of democracy is to transmute these into the life and action of society, the self-denial and self-sacrifice of heroic men and women willing to make their lives an embodiment of right and service and enlightened purpose. The commands of democracy are as imperative as its privileges and opportunities are wide and generous. Its compulsion is upon us. It will be great and life a great light for the guidance of the nations only if we are great and carry that light high for the guidance of our own feet. We are not worthy to stand here unless we ourselves be in deed and in truth real democrats and servants of mankind, ready to give our very lives for the freedom and justice and spiritual exaltation of the great nation which shelters and nurtures us.

CHAPTER VIII

ANNIVERSARY SPEECHES

§ 39

THE LAMPS OF FICTION

By Goldwin Smith

(Delivered in 1871 on the centenary of the birth of Sir Walter Scott.)

Ruskin has lighted seven lamps of Architecture to guide the steps of the architect in the worthy practice of his art. It seems time that lamps should be lighted to guide the steps of the writer of Fiction. Think what the influence of novelists now is, and how some of them use it! Think of the multitudes who read nothing but novels; and then look into the novels which they read! I have seen a young man's whole library consisting of thirty or forty of those paper-bound volumes, which are the bad tobacco of the mind. In England, I looked over three railway bookstalls in one day. There was hardly a noval by an author of any repute on one of them. There were heaps of nameless garbage, commended by tasteless, flaunting woodcuts, the promise of which was no doubt well kept within. Fed upon such food daily, what will the mind of a nation be? I say that there is no flame at which we can light the Lamp of Fiction purer or brighter than the genius of him in honor to whose memory we are assembled here to-day. Scott does not moralize. Heaven be praised that he does not. He does not set a moral object before him, nor lay down moral rules. But his beart, brave, pure, and true, is a law to itself; and by studying what he does, we may find the law for all who follow his calling. If seven lamps have been lighted for architecture, Scott will light as many for Fiction.

I. The Lamp of Reality.—The novelist must ground his work in faithful study of human nature. There was a popular writer of romances, who, it was said, used to go round to the fashionable watering

Goldwin Smith. Born at Reading, England, August 13, 1823; educated at Eton and Oxford; graduated at Magdalen College, Oxford, in 1845; in 1856 was appointed Regius Professor of modern history at Oxford; in 1868 he came to the United States and was for a time Professor of Constitutional History in Cornell University; in 1871 he moved to Toronto where he died, June 7, 1910.

places to pick up characters. That was better than nothing. There is another popular writer who, it seems, makes voluminous indices of men and things, and draws on them for his material. This also is better than nothing. For some writers, and writers dear to the circulating libraries too, might, for all that appears in their works, lie in bed all day, and write by night under the excitement of green tea. Creative art, I suppose they call this, and it is creative with a vengeance. Not so, Scott. The human nature which he paints, he had seen in all its phases, gentle and simple, in burgher and shepherd, Highlander, Lowlander, Borderer, and Islesman; he had come into close contact with it; he had opened it to himself by the talisman of his joyous and winning presence; he had studied it thoroughly with a clear eye and an all-embracing heart. When his scenes are laid in the past, he has honestly studied history. The history of his novels is perhaps not critically accurate, not up to the mark of our present knowledge, but in the main it is sound and true—sounder and more true than that of many professed historians, and even than that of his own historical works, in which he sometimes yields to prejudice, while in his novels he is lifted above it by his loyalty to his art.

II. The Lamp of Ideality.—The materials of the novelist must be real; they must be gathered from the field of humanity by his actual observation. But they must pass through the crucible of the imagination; they must be idealized. The artist is not a photographer, but a painter. He must depict, not persons, but humanity; otherwise he forfeits the artist's name, and the power of doing the artist's work in our hearts. When we see a novelist bring out a novel with one or two good characters, and then, at the fatal bidding of the booksellers, go on manufacturing his yearly volume, and giving us the same character or the same few characters over and over again, we may be sure that he is without the power of idealization. He has merely photographed what he has seen, and his stock is exhausted. It is wonderful what a quantity of the mere lees of such writers, more and more watered down, the libraries go on complacently circulating, and the reviews go on complacently reviewing. Of course, this power of idealization is the great gift of genius. It is that which distinguishes Homer, Shakespeare, and Walter Scott from ordinary men. But there is also a moral effort in rising above the easy work of mere description to the height of art. Need it be said that Scott is thoroughly ideal, as well as thoroughly real? There are vague traditions that this man and the other was the original of some character of Scott. But who can point out the man of whom a character in Scott is a mere portrait? It would be as hard as to point out a case of servile delineation in Shakespeare. Scott's characters are never

monsters or caricatures. They are full of nature; but it is universal nature. Therefore they have their place in the universal heart, and will keep that place forever. And mark that even in his historical novels he is still ideal. Historical romance is a perilous thing. The fiction is apt to spoil the fact, and the fact the fiction; the history to be perverted and the romance to be shackled; daylight to kill dreamlight, and dreamlight to kill daylight. But Scott takes few liberties with historical facts and characters; he treats them with the costume and the manners of the period, as the background of the picture. The personages with whom he deals freely are the Peverils and the Nigels; and these are his lawful property, the offspring of his own imagination, and belong to the ideal.

III. The Lamp of Impartiality.—The novelist must look on humanity without partiality or prejudice. His sympathy, like that of the historian, must be unbounded, and untainted by sect or party. He must see everywhere the good that is mixed with evil, the evil that is mixed with good. And this he will not do, unless his heart be right. It is in Scott's historical novels that his impartiality is most severely tried and is most apparent, though it is apparent in all his works. Shakespeare was a pure dramatist, nothing but art found a home in that lofty, smooth, idealistic brow. He stands apart, not only from the political and religious passions, but from the interests of his time, seeming hardly to have any historical surroundings, but to shine like a planet suspended by itself in the sky. So it is with that female Shakespeare in miniature, Miss Austen. But Scott took the most intense interest in the political struggles of his time. He was a fiery partizan, a Tory in arms against the French Revolution. In his account of the coronation of George IV., a passionate worship of monarchy breaks forth, which, if we did not know his noble nature, we might call slavish. He sacrificed ease, and at last life, to his seignorial aspirations. On one occasion he was even carried beyond the bounds of propriety by his opposition to the Whig chief. The Cavalier was his political ancestor; the Covenanter, the ancestor of his political enemy. The idols which the Covenanting iconoclast broke were his. He would have fought against the first revolution under Montrose, and against the second under Dundee. Yet he is perfectly, serenely just to the opposite party. Not only is he just, he is sympathetic. He brings out their worth, their valor, such grandeur of character as they have, with all the power of his art, making no distinction in this respect between friend and foe. If they have a ridiculous side he uses it for the purposes of his art, but genially, playfully, without malice. If there was a laugh left in the Covenanters, they would have laughed at their own portraits as painted by Scott. He

shows no hatred of anything but wickedness itself. Such a novelist is a most effective preacher of liberality and charity; he brings our hearts nearer to the Impartial Father of us all.

IV. The Lamp of Impersonality.—Personality is lower than partiality. Dante himself is open to the suspicion of partiality; it is said, not without apparent ground, that he puts into hell all the enemies of the political cause, which, in his eyes, was that of Italy and God. A legend tells that Leonardo da Vinci was warned that his divine picture of the Last Supper would fade, because he had introduced his personal enemy as Judas, and thus desecrated art by making it serve personal hatred. The legend must be false,—Leonardo has too grand a soul. A wretched woman in England, at the beginning of the last century, Mrs. Manley, systematically employed fiction as a cover for personal libel; but such an abuse of art as this could be practised or countenanced only by the vile. Novelists, however, often debase fiction by obtruding their personal vanities, favoritisms, fanaticisms, and antipathies. We had, the other day, a novel, the author of which introduced himself almost by name as a heroic character, with a description of his own personal appearance, residence, and habits, as fond fancy painted them to himself. There is a novelist, who is a man of fashion, and who makes the age of the heroes in his successive novels advance with his own, so that at last we shall have irresistible fascination at three score years and ten. But the commonest and the most mischievous way in which personality breaks out is pamphleteering under the guise of fiction. One novel is a pamphlet against lunatic asylums, another against model prisons, a third against the poor law, a fourth against the government offices, a fifth against trade unions. In these pretended works of imagination, facts are coined in support of a crotchet or an antipathy with all the license of fiction; calumny revels without restraint, and no cause is served but that of falsehood and injustice. A writer takes offense at the excessive popularity of athletic sports; instead of bringing out an accurate and conscientious treatise to advocate moderation, he lets fly a novel painting the typical boating man as a seducer of confiding women, the betrayer of his friend, and the murderer of his wife. Religious zealots are very apt to take this method of enlisting imagination as they think, on the side of truth. We had once a high Anglican novel in which the Papist was eaten alive by rats, and the Rationalist and Republican was slowly seethed in molten lead, the fate of each being, of course, a just judgment of heaven on those who presumed to differ from the author. Thus the voice of morality is confounded with that of tyrannical petulance and self-love. Not only is Scott not personal, but we cannot conceive his being so. We cannot think possible that

he should degrade his art by the indulgence of egotism, or crotchets, or party piques. Least of all can we think it possible that his high and gallant nature should use art as a cover for striking a foul blow.

V. The Lamp of Purity.—I heard Thackeray thank Heaven for the purity of Dickens. I thanked Heaven for the purity of a greater than Dickens—Thackeray himself. We may all thank Heaven for the purity of one still greater than either—Sir Walter Scott. I say still greater morally, as well as in power as an artist, because in Thackeray there is cynicism, though the more genially and healthy element predominates; and cynicism, which is not good in the great writer, becomes very bad in the little reader. We know what most of the novels were before Scott. We know the impurity, half-redeemed, of Fielding, the unredeemed impurity of Smollett, the lecherous leer of Sterne, the coarseness even of Defoe. Parts of Richardson himself could not be read by a woman without a blush. As to French novels, Carlyle says of one of the most famous of the last century, that after reading it you ought to wash seven times in Jordan; but after reading the French novels of the present day, in which lewdness is sprinkled with sentimental rosewater, and deodorized, but by no means disinfected, your washings had better be seventy times seven. There is no justification for this; it is mere pandering, under whatever pretense, to evil propensities; it makes the divine art of fiction "procuress to the Lords of Hell." If our established morality is in any way narrow and unjust, appeal to Philosophy, not to Comus; and remember that the mass of readers are not philosophers. Coleridge pledges himself to find the deepest sermons under the filth of Rabelais; but Coleridge alone finds the sermons, while everybody finds the filth. Impure novels have brought and are bringing much misery on the world. Scott's purity is not that of cloistered innocence and inexperience, it is the manly purity of one who had seen the world, mingled with men of the world, known evil as well as good; but who, being a true gentleman, abhorred filth, and teaches us to abhor it too.

VI. The Lamp of Humanity.—One day we see the walls placarded with the advertising woodcut of a sensational novel, representing a girl tied to a table and a man cutting off her feet into a tub. Another day we are allured by a picture of a woman sitting at a sewing machine and a man seizing her from behind by the hair, and lifting a club to knock her brains out. A French novelist stimulates your jaded palate by introducing a duel fought with butchers' knives by the light of lanterns. One genius subsists by murder, as another does by bigamy and adultery. Scott would have recoiled from the blood as well as from the ordure, he would have allowed neither to have defiled his noble page.

He knew that there was no pretense for bringing before a reader what is merely horrible; that by doing so you only stimulate passions as low as licentiousness itself,—the passions which were stimulated by the gladiatorial shows in degraded Rome, which are stimulated by the bull-fights in degraded Spain, which are stimulated among ourselves by exhibitions the attraction of which really consists in their imperiling human life. He knew that a novelist had no right even to introduce the terrible except for the purpose of exhibiting human heroism, developing character, awakening emotions which, when awakened, dignify and save from harm. It is want of genius and of knowledge of their craft that drives novelists to outrage humanity with horrors. Miss Austen can interest and even excite you as much with the little domestic adventures of Emma as some of her rivals can with a whole Newgate calendar of guilt and gore.

VII. The Lamp of Chivalry.—Of this briefly. Let the writer of fiction give us humanity in all its phases, the comic as well as the tragic, the ridiculous as well as the sublime; but let him not lower the standard of character or the aim of life. Shakespeare does not. We delight in his Falstaffs and his clowns as well as in his Hamlets and Othellos; but he never familiarizes us with what is base and mean. The noble and chivalrous always holds its place as the aim of true humanity in his ideal world. Perhaps Dickens is not entirely free from blame in this respect; perhaps Pickwickianism has in some degree familiarized the generation of Englishmen who have been fed upon it with what is not chivalrous, to say the least, in conduct, as it unquestionably has with slang in conversation. But Scott, like Shakespeare, wherever the thread of his fiction may lead him, always keeps before himself and us the highest ideal which he knew, the ideal of a gentleman. If anyone says there are narrow bounds wherein to confine fiction, I answer there has been room enough within them for the highest tragedy, the deepest pathos, the broadest humor, the widest range of character, the most moving incident that the world has ever enjoyed. There has been room within them for all the kings of pure and healthy fiction—for Homer, Shakespeare, Cervantes, Molière, Scott! "Farewell, Sir Walter," says Carlyle at the end of his essay, "farewell, Sir Walter, pride of all Scotchmen." Scotland has said farewell to her mortal son. But all humanity welcomes him as Scotland's noblest gift to her, and crowns him, as on this day, one of the heirs of immortality.

§ 40

THE COLLEGE A TRAINING SCHOOL FOR PUBLIC SERVICE

By Wendell Phillips Stafford

(An address delivered at the sesquicentennial of Dartmouth College, October 20, 1919.)

Mr. President: When Wycliffe earned the proud title of heretic by giving Englishmen a translation of the Bible, he would not use the word *church* to signify the great body of Christian believers. He chose the word *congregation.* And this was one of his chief offenses. That choice marked the whole difference between ecclesiasticism, the hierarchy that had ruled Europe for a thousand years, and the reign of the people, which was even then beginning. Wycliffe was wise enough to know that the word *church* would conjure up for his readers a picture of cathedrals, croziers, miters, and all the pomp and paraphernalia of the priests. We are always having to do what Wycliffe then did,—to get back to the original idea, the impulse and inspiration which has clothed itself in the visible form and institution. When we come upon the word *college,* have we not instantly before our eyes a picture of such a group of buildings as surrounds us now,—of laboratories and classrooms, of campus, gowns and processions, and all the equipment and ceremonial of academic life? What we have to do this morning is to forget all these, to strip our minds of everything external, and try to find the spirit itself that makes a college what it is. For there must be something at the heart of all we see that could suffer the loss of all and yet keep on its way, making for itself new instruments to work with. That spirit, as I conceive it, is, *A bold and hardy determination to cultivate and discipline our powers, with the aid of all that men have learned before us, and then to pour the whole stream of our power into the noble tasks of our own time.* Its voice is not the subdued murmur of the cloister: it is *vox clamantis in deserto,* sane, wholesome, invigorating, as President Tucker has described it,—the voice of a hermit, perhaps, but a hermit who has trained and strengthened himself in the desert, and now returns to be the leader and prophet of his people. That is the spirit

Wendell Phillips Stafford. Born in Barre, Vt., May 1, 1861; educated at Barre Academy, St. John's Academy, and Boston University, LL.B., 1883; 1900-1904, Judge of the Supreme Court of Vermont; Associate Justice of Supreme Court of District of Columbia since 1904; Professor of Equity and Jurisprudence, Washington University, since 1908.

that puts forth institutions as a tree puts forth its leaves, and when they fall can put forth others without end.

That spirit has shown itself in men who never knew how the inside of a college looked. When Lincoln jotted down the main facts of his life for the Congressional Directory, he wrote: "Education defective." And yet, tried by the test we are applying now, he was college-bred. The question is not, whether you studied Euclid in a classroom or stretched out on the counter of a country store. The question is, whether you mastered it. Lincoln did. And the thews and sinews of his mind, which he developed so, stood by him in the day when he threw Douglas down. John Keats was as innocent of the Greek language as the new curriculum assumes all men should be; yet out of some stray book on mythology the "miserable apprentice to an apothecary" contrived to draw into his soul the very spirit of Hellenic art, until he left us poems which Hellenists declare to be more Grecian than the Greek. He, too, was college-bred, as we now mean it, for he was impelled by that determination to subdue and fructify his powers, with the aid of all the past has left us, until they yielded something glorious and undying for his fellow men. His spirit was not the spirit of the dove, but of the eagle:

> "My spirit is too weak! Mortality
> Weighs heavily on me, like unwilling sleep;
> And each imagined pinnacle and steep
> Of godlike hardship tells me I must die,
> Like a sick eagle looking at the sky."

If I am right, there lie wrapped up in this determination those three aims: (1) to discipline one's powers and make them fruitful; (2) in order to accomplish this, to make use of all that men have gained before us; and (3) to devote these powers and acquisitions to the common weal. The advantage the college has is this: That here the determined spirit finds the tool-shop and the arsenal. That spirit itself the college can foster and encourage but cannot create. It can and does lay open to its use the weapons and the tools. It can and does teach in a fair, general way, what men thus far have done. It leads the newcomer to the point where they left off, and says: "Begin here, if you would not waste your time. This territory has been conquered. Go forth from this frontier." It also shows the worker of the present day what other men are doing. It brings him into touch with them, that he may put his effort forth where it will tell the most. Better still, it can and does help him to find out himself,—not by telling him what he can or cannot do, as the President of Harvard told Phillips Brooks that he could never hope to preach, but by giving him the chance and means to find out for

himself. And, above all the rest, if it is true to its high calling, it can and does prompt the determined spirit, disciplined by toil and taught its fitting place, to look on every gift that it possesses as on a sacred trust with which to serve its time.

Now it is the glory of Dartmouth that in an eminent degree it has been the embodiment of this spirit. Whenever men hear this name they have a very clear and definite conception of what it means. Dartmouth has succeeded in creating or manifesting a spirit by which it may be known, something that may be said to belong to it. Without neglecting, certainly without despising, the graces and refinements of scholarship, it has laid its emphasis upon a certain virility, a masculine vigor of intellect and effort,—what soldiers sometimes call "grit and iron." It is not afraid of difficulties. Rather it asks for something hard to do. When Othello is summoned from the bridal bed to undertake the Turkish wars, he exclaims:

> "The tyrant custom, most grave senators,
> Hath made the flinty and steel couch of war
> My thrice-driven bed of down. I do agnize
> A natural and prompt alacrity
> I find in hardness!"

He finds in it something akin to his own nature, and embraces it as a brother. Dartmouth does not exactly stand for the Montessori system in higher education! It has always harbored a suspicion that one of the principal things to be gained in a place like this is the ability to hold the mind to a disagreeable but necessary task. It may find itself a little old-fashioned herein; but the entrance list would indicate that there are still a considerable number who share the suspicion. There is a sense in which those famous lines in the Prophecy of Capys belong to "the cloisters of the hill-girt plain":

> "Leave to the soft Campanian
> His baths and his perfumes;
> Leave to the sordid race of Tyre
> Their dying-vats and looms;
> Leave to the sons of Carthage
> The rudder and the oar;
> Leave to the Greek his marble nymphs
> And scrolls of wordy lore!
> Thine, Roman, is the pilum!
> Roman, the sword is thine!"

Of course when I lay claim to lines like those I am not speaking of what Eleazar Wheelock would have called "carnal weapons." You know perfectly well that I have in mind an intellectual temper, an ideal of education as a discipline devoted to the State,—every power trained to the utmost and then given unstintedly, used religiously, for the public good. That temper, that ideal, I do on this great day claim for Dartmouth; and I vouch the history of the nation, a few years younger than the College itself, to make good the claim.

If I were asked to make clear to a novice in American history the main course of its stream, I would try to make him understand, first of all, the conflict between two ideas, two hostile conceptions of the nation and its organic law, on the one hand a conception that looked upon the Constitution as a mere compact between sovereign States, on the other a conception that looked upon it as the body in which one whole people's life was to be lived. He would trace the course of that struggle through debates and decisions. He would see the minds of the country divided into two hostile camps; and finally he would see the same contending hosts with arms in their hands, and behold the triumph of the national idea upon the field of blood. I would try to make him understand, next, the relation of this struggle to the institution of slavery. He would see in one section a civilization based upon that institution, essentially feudal and looking toward the past. In another he would see a civilization essentially free and looking to the future. He would see the doctrine of State Rights adhered to by the one, the doctrine of an indivisible Union adhered to by the other. He would observe that the real strength of slavery lay in the Constitution itself. There was its citadel, from which, for generations to come, it might have defied the friends of freedom. He would see the possessors of the citadel foolishly leave it and bend all their efforts to destroy it. And when the strife was over he would see a new Constitution dedicated to freedom. And, lastly, I would try to make him understand that the mighty force working its way through these tremendous events is the spirit of man determined to be free, the conception of human rights embodied in the Declaration of Independence; that the real struggle throughout had been a struggle between the Declaration and the old Constitution,—between the live spirit of man and the dead weight of institutions that did not give it room; and that the same mighty force is still at work, remolding the laws and institutions of our own time. Thus there would be three chapters.

No higher praise could be bestowed on Dartmouth than to say that the story of that first chapter might be told in the biography of her greatest alumnus, her Olympian son, in whose hall we are gathered

now. But the story of the second chapter could be told in the biography of another of her sons, Thaddeus Stevens. Webster's devotion to his College, his work in saving and refounding it, his massive service to the nation in expounding its Constitution and inspiring the coming generation, so that it was said with no less truth than eloquence that his voice was heard "in the deep roar of Union guns from Sumter to Appomattox," his supreme place in your annals as the representative of your culture, your strength, your public zeal,—all these have been celebrated, and there is nothing left for me to say. But with Stevens it is otherwise. Caricature and villification have followed him in death with a malignity even greater than they showed him in his life. And yet I believe it is capable of demonstration that in his time none of all your sons was more true to your traditions, none wielded a more terrible weapon, or did a more noble and enduring work. I can think of no better use to which this occasion could be put than to paint in clear outline and true color the figure of that giant son. Of course in the time now left me I cannot tell the story of his life. The strokes of the artist must be few and strong. Stevens was born in 1793. He was graduated here in 1814. He practised law in Pennsylvania. When he died, Jeremiah Black declared he had not left his equal at the American bar; and Black was a rival at the bar, a political opponent, sometime Attorney-General of the United States, himself accounted by many the greatest lawyer of his time. Stevens had two periods of service in Congress, but it is the second that concerns us now. All his life he had been the bitterest hater of the slave power. He had lived upon its border, and knew all its darkest traits. He had not expected to come to Washington again: when he had retired a few years earlier, he had delivered his valedictory; and now as he reappeared he sadly confessed the consciousness of failing powers. It was December, 1859, and Stevens was on the verge of three score years and ten. Age had bent his frame, deformity had crippled his gait; suffering had blanched his cheek; thought and care had plowed deep into his forehead; strife and passion had left the mark of bitterness and scorn upon his sunk and withered lip. But with the clear vision of a prophet he saw that one of the crises of the world's history was at hand; and denying to himself the comfort and quiet of age he gathered up all the remains of his ancient strength to strike his last and heaviest blow for freedom. Thereafter for nine years he stood forth in that arena the unequaled champion of free principles. For the greater part of that time, and up to the very last, he ruled the House of Representatives with a rod of iron, the greatest parliamentary figure, with the possible exception of John Quincy Adams, that ever dominated its debates. Keeping steadily before his

eyes, all through the war, the problem of reconstruction that would confront us at its close, he prepared the way, he marshaled his forces, and when the time came poured the lava of the nation's thrice-heated love of liberty into the enduring molds of its organic, fundamental law. When all deductions have been made, the candid historian of the future will be compelled to say, that his was the hand, his the indomitable will, his the uncompromising zeal for the Declaration of Independence, that, more than any other single man's, harvested the fruit of those bloody years and made the Declaration and the Constitution one. Democrat of democrats, he enjoined it upon his executors that he should not be buried in any ground from which the meanest of his fellowmen should be excluded; and so he sleeps to-day in an obscure graveyard in western Pennsylvania, among the children of the despised race which he had given all his dying strength to lift to the fair level of equal and impartial law. I ask you now, if that was not the work of a true Dartmouth man?

Proud as we are of Webster, and highly as we must always rate the work he did, we cannot deny that the Union of his day was almost completely in the hands of the slave power; and the only blemish upon his fame was his failure to rise to the height of his opportunity, especially in the Seventh of March, 1850, and become the trumpet at the lips of a free North. As Whittier mourned long after in "The Lost Occasion,"

> "He should have lived to feel below
> His feet Disunion's fierce upthrow,
> The late-sprung mine that underlaid
> His sad concessions, vainly made.
> He should have seen from Sumter's wall
> The star-flag of the Union fall
> And armed rebellion pressing on
> The broken ranks of Washington.
> No stronger voice than his had then
> Called out the utmost might of men
> To make the Union's charter free
> And strengthen law by liberty."

But if *he* could not be here for that great service, the Nation was not without the needed son, nor yet was Dartmouth.

Shall they ever, ever want such sons to lead them? Has there ever been a time when the need was more than now? Who shall meet the problems that confront us here upon the threshold of the coming age? For we now stand face to face with a new riddle of the Sphinx. You all know the old Greek story that relates how a strange monster, having

the body of a lion, the wings of a great bird, and the head of a woman, sat beside the road that ran to the City of Thebes, and everyone who passed that way was accosted with her riddle. If he gave the wrong answer he must die. If he gave the right answer, she herself would perish and the people would be free. The condition that confronts us now is such a Sphinx. The question it propounds is one that *we* must answer if free government is to survive. That question is, How are the masses of men and women who labor with their hands to be secured out of the products of their toil what they will feel to be and will be in fact a fair return? Until we can answer that question we shall have no peace; and if we fail to answer it, we shall have a revolution. The question is not one that faces America alone: it faces Britain; it faces France; it faces Italy; it has torn Russia into pieces. The Sphinx sits by the road that every modern nation has to pass. Shall we despair? In the old story a man appeared one day who solved the riddle. Thebes offered him her throne if he could answer the question, and he answered it. The Sphinx was destroyed and Edipus became King. Let us hope that our own country may be the one to find the true solution of the riddle, and thereby bring safety and freedom to the people of all lands. If that shall be the fortunate result the parallel will be complete; for America will take her seat upon the throne of power, not to rule the world in the ordinary ways of political control, but by the might of truth and the influence of her example. The riddle the old Sphinx proposed was this: What creature is it that goes on four feet in the morning, on two at noon, and on three in the evening? The answer was: Man. In the morning he creeps. At noon he walks upright on two strong feet. In the evening he limps along with cane or staff. "Man! Man!" cried Edipus; and the Sphinx was slain. So now, whatever the formula may prove to be, the answer is still, man,—the dignity, the honesty, the intelligence of man. Our safety can only be found in a policy that treats all men as brothers, all equally entitled to the fruits of their labor, all equally entitled to raise themselves as high as possible, each in his own place, without doing wrong to any of the rest. It is the spirit of justice and fraternity that must be our guide. And where are we to look for leadership if not in institutions such as this,—especially in this, whose just and democratic spirit is its most distinctive sign, the very hallmark by which it is and always has been known.

Strong-hearted Mother of the North,
  Counting thy many-colored years,
And holding not the least in worth
  Those that were cast in want and fears,—

Great Mother, thou art still the same,
  Whether in rags or purple drest,—
To-day as when thine eaglets came
  To thy dark pines as to their nest.

We bid not *thee* to look abroad—
  Thine eyes have never sought the ground—
But us—oh, let our feet be shod
  Where *thy* thought flieth to be found!

Give *us* thy vision, us thy strength,
  To spread the truth which makes men free
And dying leave a land at length
  Worthy, O mighty heart, of thee!

§ 41

THE MEANING OF THE DECLARATION OF INDEPENDENCE

By Woodrow Wilson

(Delivered at Independence Hall, July 4, 1914.)

We are assembled to celebrate the one hundred and thirty-eighth anniversary of the birth of the United States. I suppose that we can more vividly realize the circumstances of that birth standing on this historic spot than it would be possible to realize them anywhere else. The Declaration of Independence was written in Philadelphia; it was adopted in this historic building by which we stand. I have just had the privilege of sitting in the chair of the great man who presided over the deliberations of those who gave the declaration to the world. My hand rests at this moment upon the table upon which the declaration was signed. We can feel that we are almost in the visible and tangible presence of a great historic transaction.

Have you ever read the Declaration of Independence or attended with close comprehension to the real character of it when you have heard it read? If you have, you will know that it is not a Fourth of July oration. The Declaration of Independence was a document preliminary to war. It was a vital piece of practical business, not a piece of rhetoric; and if you will pass beyond those preliminary passages which we are accustomed to quote about the rights of men and read into the heart of the document you will see that it is very express and detailed, that

See page 488.

it consists of a series of definite specifications concerning actual public business of the day. Not the business of our day, for the matter with which it deals is past, but the business of that first revolution by which the Nation was set up, the business of 1776. Its general statements, its general declarations cannot mean anything to us unless we append to it a similar specific body of particulars as to what we consider the essential business of our own day.

Liberty does not consist, my fellow citizens, in mere general declarations of the rights of man. It consists in the translation of those declarations into definite action. Therefore, standing here where the declaration was adopted, reading its businesslike sentences, we ought to ask ourselves what there is in it for us. There is nothing in it for us unless we can translate it into the terms of our own conditions and of our own lives. We must reduce it to what the lawyers call a bill of particulars. It contains a bill of particulars, but the bill of particulars of 1776. If we would keep it alive, we must fill it with a bill of particulars of the year 1914.

The task to which we have constantly to readdress ourselves is the task of proving that we are worthy of the men who drew this great declaration and know what they would have done in our circumstances. Patriotism consists in some very practical things—practical in that they belong to the life of every day, that they wear no extraordinary distinction about them, that they are connected with commonplace duty. The way to be patriotic in America is not only to love America but to love the duty that lies nearest to our hand and know that in performing it we are serving our country. There are some gentlemen in Washington, for example, at this very moment who are showing themselves very patriotic in a way which does not attract wide attention but seems to belong to mere everyday obligations. The Members of the House and Senate who stay in hot Washington to maintain a quorum of the Houses and transact the all-important business of the Nation are doing an act of patriotism. I honor them for it, and I am glad to stay there and stick by them until the work is done.

It is patriotic, also, to learn what the facts of our national life are and to face them with candor. I have heard a great many facts stated about the present business condition of this country, for example—a great many allegations of fact, at any rate, but the allegations do not tally with one another. And yet I know that truth always matches with truth; and when I find some insisting that everything is going wrong and others insisting that everything is going right, and when I know from a wide observation of the general circumstances of the country taken as a whole that things are going extremely well, I wonder

what those who are crying out that things are wrong are trying to do. Are they trying to serve the country, or are they trying to serve something smaller than the country? Are they trying to put hope into the hearts of the men who work and toil every day, or are they trying to plant discouragement and despair in those hearts? And why do they cry that everything is wrong and yet do nothing to set it right? If they love America and anything is wrong amongst us, it is their business to put their hand with ours to the task of setting it right. When the facts are known and acknowledged, the duty of all patriotic men is to accept them in candor and to address themselves hopefully and confidently to the common counsel which is necessary to act upon them wisely and in universal concert.

I have had some experiences in the last fourteen months which have not been entirely reassuring. It was universally admitted, for example, my fellow citizens, that the banking system of this country needed reorganization. We set the best minds that we could find to the task of discovering the best method of reorganization. But we met with hardly anything but criticism from the bankers of the country; we met with hardly anything but resistance from the majority of those at least who spoke at all concerning the matter. And yet so soon as that act was passed there was a universal chorus of applause, and the very men who had opposed the measure joined in that applause. If it was wrong the day before it was passed, why was it right the day after it was passed? Where had been the candor of criticism not only, but the concert of counsel which makes legislative action vigorous and safe and successful?

It is not patriotic to concert measures against one another; it is patriotic to concert measures for one another.

In one sense the Declaration of Independence has lost its significance. It has lost its significance as a declaration of national independence. Nobody outside of America believed when it was uttered that we could make good our independence; now nobody anywhere would dare to doubt that we are independent and can maintain our independence. As a declaration of independence, therefore, it is a mere historic document. Our independence is a fact so stupendous that it can be measured only by the size and energy and variety and wealth and power of one of the greatest nations in the world. But it is one thing to be independent and it is another thing to know what to do with your independence. It is one thing to come to your majority and another thing to know what you are going to do with your life and your energies; and one of the most serious questions for sober-minded men to address themselves to in the United States is this: What are we going to do with the influence

and power of this great Nation? Are we going to play the old rôle of using that power for our aggrandizement and material benefit only? You know what that may mean. It may upon occasion mean that we shall use it to make the people of other nations suffer in the way in which we said it was intolerable to suffer when we uttered our Declaration of Independence.

The Department of State at Washington is constantly called upon to back up the commercial enterprises and the industrial enterprises of the United States in foreign countries, and it at one time went so far in that direction that all its diplomacy came to be designated as "dollar diplomacy." It was called upon to support every man who wanted to earn anything anywhere if he was an American. But there ought to be a limit to that. There is no man who is more interested than I am in carrying the enterprise of American business men to every quarter of the globe. I was interested in it long before I was suspected of being a politician. I have been preaching it year after year as the great thing that lay in the future for the United States, to show her wit and skill and enterprise and influence in every country in the world. But observe the limit to all that which is laid upon us perhaps more than upon any other nation in the world. We set this Nation up, at any rate we professed to set it up, to vindicate the rights of men. We did not name any differences between one race and another. We did not set up any barriers against any particular people. We opened our gates to all the world and said, "Let all men who wish to be free come to us and they will be welcome." We said, "This independence of ours is not a selfish thing for our own exclusive private use. It is for everybody to whom we can find the means of extending it." We cannot with that oath taken in our youth, we cannot with that great ideal set before us when we were a young people and numbered only a scant 3,000,000, taken upon ourselves, now that we are 100,000,000 strong, any other conception of duty than we then entertained. If American enterprise in foreign countries, particularly in those foreign countries which are not strong enough to resist us, takes the shape of imposing upon and exploiting the mass of the people of that country it ought to be checked and not encouraged. I am willing to get anything for an American that money and enterprise can obtain except the suppression of the rights of other men. I will not help any man buy a power which he ought not to exercise over his fellow beings.

You know, my fellow countrymen, what a big question there is in Mexico. Eighty-five per cent. of the Mexican people have never been allowed to have any genuine participation in their own Government or to exercise any substantial rights with regards to the very land they

live upon. All the rights that men most desire have been exercised by the other fifteen per cent. Do you suppose that that circumstance is not sometimes in my thought? I know that the American people have a heart that will beat just as strong for those millions in Mexico as it will beat, or has beaten, for any other millions elsewhere in the world, and that when once they conceive what is at stake in Mexico they will know what ought to be done in Mexico. I hear a great deal said about the loss of property in Mexico and the loss of the lives of foreigners, and I deplore these things with all my heart. Undoubtedly, upon the conclusion of the present disturbed conditions in Mexico those who have been unjustly deprived of their property or in any wise unjustly put upon ought to be compensated. Men's individual rights have no doubt been invaded, and the invasion of those rights has been attended by many deplorable circumstances which ought some time, in the proper way, to be accounted for. But back of it all is the struggle of a people to come into its own, and while we look upon the incidents in the foreground let us not forget the great tragic reality in the background which towers above the whole picture.

A patriotic American is a man who is not niggardly and selfish in the things that he enjoys that make for human liberty and the rights of man. He wants to share them with the whole world, and he is never so proud of the great flag under which he lives as when it comes to mean to other people as well as to himself a symbol of hope and liberty. I would be ashamed of this flag if it did anything outside America that we would not permit it to do inside of America.

The world is becoming more complicated every day, my fellow citizens. No man ought to be foolish enough to think that he understands it all. And, therefore, I am glad that there are some simple things in the world. One of the simple things is principle. Honesty is a perfectly simple thing. It is hard for me to believe that in most circumstances when a man has a choice of ways he does not know which is the right way and which is the wrong way. No man who has chosen the wrong way ought even to come into Independence Square; it is holy ground which he ought not to tread upon. He ought not to come where immortal voices have uttered the great sentences of such a document as this Declaration of Independence upon which rests the liberty of a whole nation.

And so I say that it is patriotic sometimes to prefer the honor of the country to its material interest. Would you rather be deemed by all the nations of the world incapable of keeping your treaty obligations in order that you might have free tolls for American ships? The treaty

under which we gave up that right may have been a mistaken treaty, but there was no mistake about its meaning.

When I have made a promise as a man I try to keep it, and I know of no other rule permissible to a nation. The most distinguished nation in the world is the nation that can and will keep its promises even to its own hurt. And I want to say parenthetically that I do not think anybody was hurt. I cannot be enthusiastic for subsidies to a monopoly, but let those who are enthusiastic for subsidies ask themselves whether they prefer subsidies to unsullied honor.

The most patriotic man, ladies and gentlemen, is sometimes the man who goes in the direction that he thinks right even when he sees half the world against him. It is the dictate of patriotism to sacrifice yourself if you think that that is the path of honor and of duty. Do not blame others if they do not agree with you. Do not die with bitterness in your heart because you did not convince the rest of the world, but die happy because you believe that you tried to serve your country by not selling your soul. Those were grim days, the days of 1776. Those gentlemen did not attach their names to the Declaration of Independence on this table expecting a holiday on the next day, and that 4th of July was not itself a holiday. They attached their signatures to that significant document knowing that if they failed it was certain that every one of them would hang for the failure. They were committing treason in the interest of the liberty of 3,000,000 people in America. All the rest of the world was against them and smiled with cynical incredulity at the audacious undertaking. Do you think that if they could see this great Nation now they would regret anything that they then did to draw the gaze of a hostile world upon them? Every idea must be started by somebody, and it is a lonely thing to start anything. Yet if it is in you, you must start it if you have a man's blood in you and if you love the country that you profess to be working for.

I am sometimes very much interested when I see gentlemen supposing that popularity is the way to success in America. The way to success in this great country, with its fair judgments, is to show that you are not afraid of anybody except God and His final verdict. If I did not believe that, I would not believe in democracy. If I did not believe that, I would not believe that people can govern themselves. If I did not believe that the moral judgment would be the last judgment, the final judgment, in the minds of men as well as the tribunal of God, I could not believe in popular government. But I do believe these things, and, therefore, I earnestly believe in the democracy not only of America but of every awakened people that wishes and intends to govern and control its own affairs.

It is very inspiring, my friends, to come to this that may be called the original fountain of independence and liberty in America and here drink draughts of patriotic feeling which seem to renew the very blood in one's veins. Down in Washington sometimes when the days are hot and the business presses intolerably and there are so many things to do that it does not seem possible to do anything in the way it ought to be done, it is always possible to lift one's thought above the task of the moment and, as it were, to realize that great thing of which we are all parts, the great body of American feeling and American principle. No man could do the work that has to be done in Washington if he allowed himself to be separated from that body of principle. He must make himself feel that he is a part of the people of the United States, that he is trying to think not only for them, but with them, and then he cannot feel lonely. He not only cannot feel lonely but he cannot feel afraid of anything.

My dream is that as the years go on and the world knows more and more of America it will also drink at these fountains of youth and renewal; that it also will turn to America for those moral inspirations which lie at the basis of all freedom; that the world will never fear America unless it feels that it is engaged in some enterprise which is inconsistent with the rights of humanity; and that America will come into the full light of the day when all shall know that she puts human rights above all other rights and that her flag is the flag not only of America but of humanity.

What other great people has devoted itself to this exalted ideal? To what other nation in the world can all the eyes look for an instant sympathy that thrills the whole body politic when men anywhere are fighting for their rights? I do not know that there will ever be a declaration of independence and of grievances for mankind, but I believe that if any such document is ever drawn it will be drawn in the spirit of the American Declaration of Independence, and that America has lifted high the light which will shine unto all generations and guide the feet of mankind to the goal of justice and liberty and peace.

§ 42

ORATION BEFORE THE GRAND ARMY POSTS OF SUFFOLK COUNTY

By John D. Long

(Tremont Temple, Boston, May 30, 1882.)

I gratefully acknowledge your courtesy, veterans and members of the Suffolk Posts of the Grand Army, in inviting me, a civilian, to speak for you this day. I should shrink from the task, however, did I not know that in this, your purpose is to honor again the Commonwealth of which I am the official representative. By recent enactment she has made the day you celebrate one of her holy days,—a day sacred to the memory of her patriot dead and to the inspiration of patriotism in her living. Henceforward she emblazons it upon the calendar of the year with the consecrated days that have come down from the Pilgrim and the Puritan, with Christmas Day and with the birthdays of Washington and American Independence. So she commits herself afresh to the eternal foundations, which the fathers laid, of piety, education, freedom, justice, law, and love of country. The time will come indeed, and speedily, when none of you shall remain to observe it, and when the last survivor, shouldering his crutch no more, shall lie down to rest with no comrade left to shed a tear or flower upon his grave. But the service you did, the sacrifice you made, the example you taught, more immortal than your crumbling dust, will forever live and illumine the world, as in the heavens, speeding so far from us that the eye sees not the vapor that enshrouds them, the stars shine only in purer and eternal glory. I can understand that, when the war closed, the same disinterested and single loyalty, which compelled the true citizen to arms, made many a soldier shrink from even the appearance of farther display, either by joining your organization or by publicly engaging in the decoration of graves. But with the lapse of time, with the inroads on the ranks, with this statutory recognition by the Commonwealth,—a recognition not more apt in desert than in time,—Memorial Day will hereafter gather around it not only the love and tears and pride of the generations of

John Davis Long. Born at Buckfield, Me., October 27, 1838; graduated Harvard, 1857; admitted to the Massachusetts bar in 1861; elected to the Massachusetts Legislature in 1875; elected Speaker in 1876; elected Governor of Massachusetts, 1879-1880-1881; elected to Congress in 1881; Secretary of the Navy in the cabinets of McKinley and Roosevelt; died, 1915.

the people, but more and more, in its inner circle of tenderness, the linking memories of every comrade so long as one survives. As the dawn ushers it in, tinged already with the exquisite flush of hastening June, and sweet with the bursting fragrance of her roses, the wheels of time will each year roll back, and, lo! John Andrew is at the State House, inspiring Massachusetts with the throbbing of his own great heart; Abraham Lincoln, wise and patient and honest and tender and true, is at the nation's helm; the North is one broad blaze; the boys in blue are marching to the front; the fife and drum are on every breeze; the very air is patriotism; Phil Sheridan, forty miles away, dashes back to turn defeat to victory; Farragut, lashed to the masthead, is steaming into Mobile harbor; Hooker is above the clouds,—ay, now indeed forever above the clouds; Sherman marches through Georgia to the sea; Grant has throttled Lee with the grip that never lets go; Richmond falls; the armies of the republic pass in that last great review at Washington; Custer's plume is there, but Kearney's saddle is empty; and, now again, our veterans come marching home to receive the welcome of a grateful people, and to stack in Doric Hall the tattered flags which Massachusetts forever hence shall wear above her heart.

In memory of the dead, in honor of the living, for inspiration to our children, we gather to-day to deck the graves of our patriots with flowers, to pledge commonwealth and town and citizen to fresh recognition of the surviving soldier, and to picture yet again the romance, the reality, the glory, the sacrifice of his service. As if it were but yesterday you recall him. He had but turned twenty. The exquisite tint of youthful health was in his cheek. His pure heart shone from frank, outspeaking eyes. His fair hair clustered from beneath his cap. He had pulled a stout oar in the college race, or walked the most graceful athlete on the village green. He had just entered on the vocation of his life. The doorway of his home at this season of the year was brilliant in the dewy morn with the clambering vine and fragrant flower, as in and out he went, the beloved of mother and sisters, and the ideal of a New England youth:—

> "In face and shoulders like a god he was;
> For o'er him had the goddess breathed the charm
> Of youthful locks, the ruddy glow of youth,
> A generous gladness in his eyes: such grace
> As carver's hand to ivory gives, or when
> Silver or Parian stone in yellow gold
> Is set."

The unreckoned influences of the great discussion of human rights had insensibly molded him into a champion of freedom. He had passed

no solitary and sleepless night watching the armor which he was to wear when dubbed next day with the accolade of knighthood. But over the student's lamp or at the fireside's blaze he had passed the nobler initiate of a heart and mind trained to a fine sense of justice and to a resolution equal to the sacrifice of life itself in behalf of right and duty. He knew nothing of the web and woof of politics, but he knew instinctively the needs of his country. His ideal was Philip Sidney, not Napoleon. And when the drum beat, when the first martyr's blood sprinkled the stones of Baltimore, he took his place in the ranks and went forward. You remember his ingenuous and glowing letters to his mother, written as if his pen were dipped in his very heart. How novel seemed to him the routine of service, the life of camp and march! How eager the wish to meet the enemy and strike his first blow for the good cause! What pride at the commotion that came and put its *chevron* on his arm or its strap upon his shoulder! How graphically he described his sensation in the first battle, the pallor that he felt creeping up his face, the thrilling along every nerve, and then the utter fearlessness when once the charge began and his blood was up! Later on, how gratefully he wrote of the days in hospital, of the opening of the box from home, of the generous distributing of delicacies that loving ones had sent, and of the never-to-be-forgotten comfort of the gentle nurse whose eyes and hands seemed to bring to his bedside the summer freshness and health of the open windows of his and her New England homestead! No Amazon was she with callous half-breast; but her whole woman's heart was devoted, as were the hearts of all her sisters at the North, to lightening the hardships and pain of war. Let her praise never fail to mingle in the soldier's tribute, or her abilities be belittled in a land to whose salvation and honor she contributed as nobly in her service as he in his.

They took him prisoner. He wasted in Libby and grew gaunt and haggard with the horror of his sufferings and with pity for the greater horror of the sufferings of his comrades who fainted and died at his side. He saw his schoolmate panting with the fever of thirst, yet shot like a dog for reaching across the line to drink the stagnant water a dog would have scorned. He tunneled the earth and escaped. Hungry and weak, in terror of recapture, he followed by night the pathway of the railroad. Upon its timbers, hoar with frost, he tottered in the dark over rivers that flowed deep beneath his treacherous foothold. He slept in thickets and sank in swamps. In long and painful circuits he stole around hamlets where he dared not ask for shelter. He saw the glitter of horsemen who pursued him. He knew the bloodhound was on his track. A faithful negro—good Samaritan—took compassion on him,

bound up his wounds, and set him on his way. He reached the line; and, with his hand grasping at freedom, they caught and took him back to his captivity. He was exchanged at last; and you remember, when he came home on a short furlough, how manly and war-worn he had grown. But he soon returned to the ranks and to the welcome of his comrades. They loved him for his manliness, his high bearing, his fine sense of honor. They felt the nobility of conduct and character that breathed out from him. They recall him now alike with tears and pride. In the rifle pits around Petersburg you heard his steady voice and firm command. The bullet of the sharpshooter picked off the soldier who stood at his side and who fell dying in his arms, one last brief message whispered and faithfully sent home. It was a forlorn hope,—the charge of the brave regiment to which he belonged, reduced now by three years' long fighting to a hundred veterans, conscious that somebody had blundered yet grimly obedient to duty. Someone who saw him then fancied that he seemed that day like one who forefelt the end. But there was no flinching as he charged. He had just turned to give a cheer when the fatal ball struck him. There was a convulsion of the upward hand. His eyes, pleading and loyal, turned their last glance to the flag. His lips parted. He fell dead, and at nightfall lay with his face to the stars. Home they brought him, fairer than Adonis over whom the goddess of beauty wept. They buried him in the village churchyard under the green turf. Year by year his comrades and his kin, nearer than comrades, scatter his grave with flowers. His picture hangs on the homestead walls. Children look up at it and ask to hear his story told. It was twenty years ago; and the face is so young, so boyish and fair, that you cannot believe he was the hero of twenty battles, a veteran in the wars, a leader of men, brave, cool, commanding, great. Do you ask who he was? He was in every regiment and every company. He went out from every Massachusetts village. He sleeps in every Massachusetts burying ground. Recall romance, recite the names of heroes of legend and song, but there is none that is his peer. Can you think of him and not count the cost of such a precious life, not thrill with gratitude at such a sacrifice, not ask why such promise, such hope, such worth, should have been cut down? I know not why it is in the providence of God that through blood—not the sacrifice of rams and goats, but the blood of human hearts—the great gains of human freedom have had their impulse, unless it be that in the laws of growth, as in the laws of light, it is the red rays that are strongest and that first shine through and flash the dawn, foretelling the pure white fire of the uprising sun. But this we do know: that, search history through, and you shall find no more heroic record of self-sacrifice, of courage, of the flower

of youth giving itself to death for right and country's sake. Massachusetts will never forget the memory of these her martyrs. Their lives are insensibly molding the character of her children at school or by fireside even while the busy man of years and of affairs may almost seem to have forgotten them. With you she weeps over their turf and crowns them with the laurel wreath.

Yes, why was it? Why do we recall all this? Because the sacrifice is lost in the consummation, death is swallowed up in victory; because it was not a nipped bud, but the full flower; not a life cut off, but a life rounded and complete; because the high ideals, the lofty purposes, the forward-looking ambition to be of service in the world were all fulfilled, not defeated, in these young men. If in our pride of conquest, if in these organizations and festivals our purpose were simply to count our excess of victories, to glory in superiority of endurance, strength, and numbers, to echo the gladiator's roar of triumph, to rake from the dying embers flashes of the stinging fires of hate, it were worse than time wasted. It was no fight of men with men. That is but brutality. It was the eternal war of right with wrong, which is divine and wreathes an eternal crown of glory around the brow of the conqueror. Our foes were not worth beating if the purpose were simply to beat them. But it was the chastisement of love that overthrew, not them, but the false gods they worshiped, the false principles they obeyed, and that gave to them and secured to us a union for the first time founded on universal freedom and equality. And so it is that as sometimes a brave man perils and loses his life that he may save that of a little child or even of a foe, so our heroes died that all their countrymen, North and South, might live the only life worth living,—the life of free men. It would be easy to say that the late war demonstrated that we are a nation of soldiers as well as of citizens, and to paint the laurels which, in case of another, we could win again on sea and land. But I prefer to say that the result is a united country, a solid South, such as it soon will be, only because at last and forever solidly identified with the education, the business growth, the glowing enterprise of the North,—its common people taught in common schools, its vast fields open to the stimulating immigration of the globe, its great rivers turning the wheels of peaceful and prosperous industries,—a united country that counts as nothing its ability to fight the world, but as everything its ability to lead the world in the arts of peace, secure in the consciousness rather than in the exhibition of power, and cemented not by blood, but by ideas.

This is our triumph,—not that we overthrew a brave though ignorant, provincial, misguided foe, stunted by the barbarism of slavery, but that we have forever established in fact the principle that all men are born

free and equal; have destroyed the doctrine of caste; have proved the stability and permanence of a government of the people; have consolidated our heterogeneous population and made them all of one birth and kin, so that the names of our fallen dead no longer, like those on the Lexington column, are all patronymics of pure New England stock, but, as you may now read them on the later shafts throughout the commonwealth, represent every nationality, each blending in the one common destiny of the American republic. We have confirmed the policy of honesty in financial administration, of keeping good the nation's promise and of giving its people an honest dollar. We have struck the shackles from the feet of the slave and from the soul of his master. We have let loose the energies of a free people which are turning this great domain into a hive of industry and prosperity girting it with bands of iron rails and disemboweling its mines of gold and silver and more precious ores. Best of all we have emancipated the prodigal States themselves from the swineherd's thralldom, and put rings on their hands and shoes on their feet, allowing them to justly share but never more to domineer. It was General Greene, of our neighbor Rhode Island, who a hundred years ago led South Carolina to victory in the War for Independence. It was General Lincoln, of our own Massachusetts, who received the sword of Cornwallis at Yorktown, in the same good cause. Since then, South Carolina and Virginia, false to that cause, have struck their flags to the men of Rhode Island and Massachusetts who held them to their better duty. They will not repeat that mistake. Within this month, at the centennial celebration of Cowpens, it was Colonel Higginson, a representative of the Massachusetts Executive, who spoke for New England on the same platform with General Hampton, whose slaves, less than twenty years ago, the colonel had armed against this their master in the cause of their own liberty. And both struck the same high note of freedom, of progress, of the new era of a higher destiny. In October next, the soldiers of the North will again encamp at Yorktown. But it will be to celebrate, not the slaughters of the Peninsular campaign, but the hundredth anniversary of the achievement of American Independence. On that day, the President of the Union and the representatives of every State in it will look back over the century and pay tribute to its sacrifices and its triumphs. But with faces on which no shadow will fall, they will turn anon and look forward for centuries to come upon the more glorious fraternal progress of the future. It has been said that it would be better to blot out this day and with it every recollection of the past it commemorates. I believe it is better to keep the day and to forget nothing of the past, if so on both sides we make the past a lesson for the future, and out of its very

nettle of horror and danger pluck the flower of safety. The mere man you fought is naught, and it is indeed better to forgive and forget him. But the victory you won over him was the victory of principle and is eternal. Proud may you be indeed to keep it known that you share and transmit its glory; that, having as soldiers saved the republic, as citizens you perpetuate it; that you recall a youth not lost but made immortal. Proud, too, the Commonwealth of such sons; secure in their hands alike in peace or war; her motto still, THE QUIETUDE OF PEACE WITH LIBERTY BUT ELSE THE SWORD.

In that Commonwealth, her very soil rich with ashes of heroes and giants, fitting it is that you should not limit the honors you bestow this day to the graves only of the recent dead, but should extend them to the dead who for two hundred and fifty years have been, by force of their indelible impress, the real life, transcending ours, of Massachusetts. And fitting it is that I, echoing their sentiment and yours, the sentiment that never was ungenerous or narrow, should speak no word that is not liberal, no thought that is not national, no hope of future good that is not as broad as our common country, or that does not embrace the happiness of every citizen, whatever his color or birth, whatever his faith or toil, whatever his section or estate. For we commemorate to-day not more the heroism of the past than the common weal of the present,—the equality of citizenship, in honor commanding respect, in duty commanding service.

As I look, veterans, upon your faces, your thinner ranks, your brows on which time is writing in plainer lines its autograph, true, indeed, I know it is that the number of the survivors is fast diminishing, and that with the close of the century few will remain. But they will all still live in the works that do follow them,—in a civilization better because purified by the searching fire of war from the dross of human slavery and political inequality, and in a country lifted up to a higher plane of justice, mercy and righteousness. They will live, too, in history,—in the history of a patriotic people, pictured in pages more graphic than those of Plutarch or Macaulay, in the songs of poets who shall sing a nobler than Virgil's man, and an epic loftier than the Iliad. They will live, too, in these monuments of stone and bronze which we erect not more to their memory than to the incitement and education of coming generations. It might be said that we are now in our monumental age. The towering obelisk at Bunker Hill, the homely pillar on Lexington Green, are no longer the only columns that write in granite the record of our glory. At Plymouth, the colossal figure of Faith, looking out over the sea, catching from its horizon the first tints of the morning, and guarding the graves of the Pilgrims, proclaims to the world the story

of the *Mayflower* and its precious freight of civil and religious liberty. Across the bay rises almost to completion the plain but solid shaft that marks the home of Miles Standish, that sturdy type of courage and independence in life and faith which has been multiplied in New England in very phase of its thought and culture. In Boston, before the State House, Webster, defender of the Constitution, and Mann, the promoter of public education. Before its City Hall, Franklin, the most prolific and comprehensive brain in American history, and Quincy, a noble name in Massachusetts for generation after generation. In its public squares, Winthrop, the Puritan founder; Sam Adams, true leader of the people, and Abraham Lincoln, emancipator of the grateful race that kneels enfranchised at his feet. In its Public Garden the equestrian statue of Father Washington, the figure of Charles Sumner, and the uplifted arm of Everett. And in its avenues, Hamilton, the youthful founder of our national finance, and John Glover, colonel of the Marblehead regiment, whose lusty arms and oars rescued Washington from Long Island. At Mount Auburn, James Otis, that flame of fire. At Lexington, Hancock and Adams. At Concord, the embattled farmer. In Hingham, in marble pure as his own heroic instincts, that war governor, who in the heart of the Massachusetts soldier can never be disassociated from the sympathies and martyrdom of the service which he shared with you even to his life. And now, in Chelsea, the national flag, floating out its bright and rippling cheer from the year's beginning to its end, waves over the Soldiers' Home, which as been secured by your contributions, so that if haply there be one needy veteran whom the magnificent and unparalleled provisions of Massachusetts fails, as all general laws must, in some rare cases, fail to reach, there he may find a shelter that shall not dishonor him. Time and your patience would fail an enumeration of the monuments which, within a few years, have dotted the State, and in whose massive handwriting the century is recording for centuries hence its story of heroism, so plain, so legible, that though a new Babel should arise, and the English tongue be lost, the human heart and eye will still read it at a glance. Scarce a town is there—from Boston, with its magnificent column crowned with the statue of America, at the dedication of which even the conquered Southron came to pay honor, to the humblest stone in rural villages—in which these monuments do not rise summer and winter, in snow and sun, day and night, to tell how universal was the response of Massachusetts to the call of the patriot's duty, whether it rang above the city's din or broke the quiet of the farm. On city square and village green stand the graceful figures of student, clerk, mechanic, farmer, in that endeared and never-to-be-forgotten war uniform of the soldier or the sailor, their stern young faces to the front, still on guard,

watching the work they wrought in the flesh, and teaching, in eloquent silence, the lesson of the citizen's duty to the State. How our children will study these! How they will search and read their names! How quaint and antique to them will seem their arms and costumes! How they will gather and store up in their minds the fine, insensibly filtering percolation of the sentiment of valor, of loyalty, of fight for right, of resistance against wrong, just as we inherited all this from the Revolutionary era, so that, when some crisis shall in the future come to them, as it came to us, they will spring to the rescue, as sprang our youth in the beauty and chivalry of the consciousness of a noble descent.

During the late Turco-Russian war I passed an evening in a modest home in a quiet country town. It was a wild night. The family circle sat by the open fire of a New England sitting-room. They told me of a son of that house, a young man already known in literature and art, who, full of the spirit of adventure, was at that moment, as war correspondent of a great London daily, with the head of the Russian army in Bulgaria. They read me his letters, in which he interwove affectionate inquiries and memories of home with vivid descriptions of battles, of wounds, of Turkish barbarities, of desolated villages, of murdered and mutilated peasants, of long marches through worse than Virginian mud, of wild bivouac in rain and tempest, of stirring incidents of the Russian camp, of the thousand shifting scenes of the theater of a campaign, till suddenly that quiet room in which we sat was transfigured, and we, snug sheltered from the storm, were apace translated over the sea into the very stir and toss of the war, our sympathies, our hopes, our interests, our very selves all there.

And so it is with us always. Shut up within ourselves, our minds intent on nothing but the narrow limits of immediate place and time, our hearts and fists closing tighter on our little own, we shrivel like dry leaves. But let the thrill of that common humanity electrify us which links together all men, all time past, present and to come, and we spring into the upper air. When we do these honors to the deserving dead, when we revive not alone the fact but the ideal of their service, we strike a chord that forever binds us and the world around us with all great heroisms, with all great causes and sacrifices, with the throb of that loftier moral atmosphere which is lost only in the unison of man's immortal soul with the soul of God the Father.

§ 43

THE ARMY OF DEMOCRACY

By John G. Doyle

(Address before Vera Cruz Council, Knights of Columbus, New York City, Feb. 22, 1918.)

On this anniversary of the birth of George Washington, well termed "the Father of Our Country," your Council meets under inspiring circumstances. This day we have seen the ten thousand drafted men from Camp Upton parading in this city. The snow was falling as they marched. It clung to their shoulders. It made soft white flecks upon their hair. It filtered down their rifle barrels. They marched with erect heads. They were bronzed, vigorous, confident, virile. They swung down the avenue with precision and power.

And as we looked at them on this Birthday of Washington we saw in them the army of democracy. They were our brothers, our sons, our relatives, husbands and sweethearts of American women, members of American households. But a few months ago they were clerks, artisans, workers, producers, part of the great American people engaged in the pursuits of peace. They were called into service, not by the mandate of any military despot, not by the coercion of soldiery already in arms. They were summoned because their own elected representatives, men chosen directly by the people, had decreed that the fight for the liberty of the world and the safety of democracy should be made by the army of democracy, the able-bodied citizenry of the United States, called forth in the name of all the people to defend the liberties of all the people.

The snow on which they trod softened the sounds of their footsteps. It filled the vision with the thought and sight of winter. And as that great army marched, snow-covered, and treading through the white flakes, we saw, in fancy, another army marching above them. That ghostly army was clad in rags and tatters. The men marched with shoeless feet, and at every step the crimson stain left upon the ice over which they painfully passed told mutely of their sufferings. And at the head

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of that ghostly army marched George Washington, who was leading the starving patriots of the American Revolution in the winter at Valley Forge.

Seven score of years have passed since that patriot army made America free. Their deathless valor and sacrifice placed in the free air of heaven a new banner, the emblem of a new nation among the nations of the world, a nation "conceived in liberty" and calling upon all the world to grasp the message that American sacrifice and American blood had here destroyed hereditary government, the rule of caste, the restriction of opportunity, and had planted here forever equality before the law, government by the people, and ordered liberty, which give fullest expression to the best aspirations in political and civic life.

We rejoice in that heritage of freedom which American patriots won for themselves and for us, their posterity; that freedom which has inspired the advance of democracy throughout the world. We declare our unfaltering allegiance to the principles of government embodied in our constitution. These principles embrace government by laws enacted by elected legislators directly chosen by and responsible to the people, which laws are enforced by an elected executive, chosen for a brief term, and answerable for his acts to the people. These principles include protection of the rights of life and property and determination of equity by courts chosen directly by the people or confirmed by the people's elected representatives. In these principles we recognize the voice and the control of democracy itself.

In this great world-war we pledge to ourselves and to the world that American democracy represented on the battlefront by the sons of a free people is actuated by no selfish motive of aggrandizement of wealth or empire. We send forth that army that the honor and safety of the United States and its free institutions may survive, that despotism shall not crush democracy, that the sword shall not dominate the world, but that this, the greatest republic in the world's history, may continue its destiny of expanding and preserving free institutions and of bringing hither the peoples of the world who seek liberty and opportunity in peaceful development and prosperity, that they may here fuse into a great nation of freemen who shall advance the ideals of democracy in the world.

For these principles the army of democracy, a part of which we this day saw and felt inspiration from, and the greater army yet to go forth on foreign fields, march to the battle test. They and we pledge our unquestioning and wholehearted loyalty to these principles and the hopes and institutions of the United States. They and we unite in declaring

that we shall hesitate at no sacrifice of blood, suffering or treasure to bring victory to American arms, and to win a just and lasting peace which shall prove our America to be the hope of the democracy of the world.

CHAPTER IX

AFTER DINNER SPEECHES

§ 44

LIBERTY UNDER THE LAW

By George William Curtis

(Speech at the seventy-first anniversary banquet of the New England Society in the city of New York, December 22, 1876.)

Mr. President and Gentlemen of the New England Society: It was Izaak Walton in his "Angler" who said that Dr. Botelier was accustomed to remark "that doubtless God might have made a better berry than the strawberry, but doubtless He never did." And I suppose I speak the secret feeling of this festive company when I say that doubtless there might have been a better place to be born in than New England, but doubtless no such place exists. [Applause and laughter.] And if any skeptic should reply that our very presence here would seem to indicate that doubtless, also, New England is as good a place to leave as to stay in [laughter], I should reply to him that, on the contrary, our presence is but an added glory of our mother. It is an illustration of that devout, missionary spirit, of the willingness in which she has trained us to share with others the blessings that we have received, and to circle the continent, to girdle the globe, with the strength of New England character and the purity of New England principles. [Applause.] Even the Knickerbockers, Mr. President—in whose stately and splendid city we are at this moment assembled, and assembled of right because it is our home—even they would doubtless concede that much of the state and splendor of this city is due to the enterprise, the industry, and the genius of those whom their first historian describes as "losel Yankees." [Laughter.] Sir, they grace our feast with their presence; they will enliven it, I am sure, with their eloquence and wit. Our tables are rich with the flowers grown in their soil; but there is one flower that we do not see, one flower whose perfume fills a continent, which has blossomed for more than two centuries and a half with ever-increasing and

George William Curtis. Born at Providence, R. I., February 24, 1824; died at Staten Island, N. Y., August 31, 1892; editor of *Harper's Weekly*, 1857-1892.

deepening beauty—a flower which blooms at this moment, on this wintry night, in never-fading freshness in a million of true hearts, from the snow-clad Katahdin to the warm Golden Gate of the South Sea, and over its waters to the isles of the East and the land of Prester John—the flower of flowers, the Pilgrim's "Mayflower." [Applause.]

Well, sir, holding that flower in my hand at this moment, I say that the day we celebrate commemorates the introduction upon this continent of the master principle of its civilization. I do not forget that we are a nation of many nationalities. I do not forget that there are gentlemen at this board who wear the flower of other nations close upon their hearts. I remember the forget-me-nots of Germany, and I know that the race which keeps "watch upon the Rhine" keeps watch also upon the Mississippi and the Lakes. I recall—how could I forget?—the delicate shamrock; for there "came to this beach a poor exile of Erin," and on this beach, with his native modesty, "he still sings his bold anthem of Erin go Bragh." [Applause.] I remember surely, sir, the lily—too often the tiger-lily—of France [laughter and applause] and the thistle of Scotland; I recall the daisy and the rose of England; and, sir, in Switzerland, high upon the Alps, on the very edge of the glacier, the highest flower that grows in Europe, is the rare *edelweiss*. It is in Europe; we are in America. And here in America, higher than shamrock or thistle, higher than rose, lily or daisy, higher than the highest, blooms the perennial Mayflower. [Applause.] For, sir and gentlemen, it is the English-speaking race that has molded the destiny of this continent; and the Puritan influence is the strongest influence that has acted upon it. [Applause.]

I am surely not here to assert that the men who have represented that influence have always been men whose spirit was blended of sweetness and light. I confess truly their hardness, their prejudice, their narrowness. All this I know: Charles Stuart could bow more blandly, could dance more gracefully than John Milton; and the cavalier King looks out from the canvas of Vandyke with a more romantic beauty of flowing love-locks than hung upon the brows of Edward Winslow, the only Pilgrim father whose portrait comes down to us. [Applause.] But, sir, we estimate the cause beyond the man. Not even is the gracious spirit of Christianity itself measured by its confessors. If we would see the actual force, the creative power of the Pilgrim principle, we are not to look at the company who came over in the cabin of the *Mayflower;* we are to look upon the forty millions who fill this continent from sea to sea. [Applause.] The *Mayflower,* sir, brought seed and not a harvest. In a century and a half, the religious restrictions of the Puritans had grown into absolute religious liberty, and in two centuries it had burst

beyond the limits of New England, and John Carver, of the *Mayflower,* had ripened into Abraham Lincoln, of the Illinois prairie. [Great and prolonged applause.]

Why, gentlemen, if you would see the most conclusive proof of the power of this principle, you have but to observe that the local distinctive title of New Englanders has now become that of every man in the country. Every man who hears me, from whatever State in the Union, is, to Europe, a Yankee, and to-day the United States are but the "Universal Yankee Nation." [Applause.] Do you ask me, then, what is this Puritan principle? Do you ask me whether it is as good for to-day as for yesterday; whether it is good for every national emergency; whether it is good for the situation of this hour? I think we need neither doubt nor fear. The Puritan principle in its essence is simply individual freedom. From that spring religious liberty and political equality. The free State, the free Church, the free School—these are the triple armor of American nationality, of American security. [Applause.] But the Pilgrims, while they have stood above all men for their idea of liberty, have always asserted liberty under law and never separated it from law. John Robinson, in the letter that he wrote the Pilgrims when they sailed, said these words, that well, sir, might be written in gold around the cornice of that future banqueting-hall to which you have alluded: "You know that the image of the Lord's dignity and authority which the magistry beareth is honorable in how mean person soever." [Applause.] This is the Puritan principle. Those men stood for liberty under the law. They had tossed long upon a wintry sea; their minds were full of images derived from their voyage; they knew that the will of the people alone is but a gale smiting a rudderless and sailless ship, and hurling it a mass of wreck upon the rocks. But the will of the people, subject to law, is the same gale filling the trim canvas of a ship that minds the helm, bearing it over yawning and awful abysses of ocean safety to port. [Loud applause.]

Now, gentlemen, in this country the Puritan principle in its development has advanced to this point, that it provides us a lawful remedy for every emergency that may arise. [Cheers.] I stand here as a son of New England. In every fiber of my being am I a child of the Pilgrims. [Applause.] The most knightly of all the gentlemen at Elizabeth's court said to the young poet, when he would write an immortal song, "Look into your own heart and write." And I, sir and brothers, if, looking into my own heart at this moment, I might dare to think that what I find written there is written also upon the heart of my mother, clad in her snows at home, her voice in this hour would be a message spoken from the land of the Pilgrims to the capital of this nation—a message like

that which Patrick Henry sent from Virginia to Massachusetts when he heard of Concord and Lexington: "I am not a Virginian, I am an American." [Great applause.] And so, gentlemen, at this hour, we are not Republicans, we are not Democrats, we are Americans. [Tremendous applause.]

The voice of New England, I believe, going to the capital, would be this, that neither is the Republican Senate to insist upon its exclusive partisan way, nor is the Democratic House to insist upon its exclusive partisan way, but Senate and House, representing the American people and the American people only, in the light of the Constitution and by the authority of the law, are to provide a way over which a President, be he Republican or be he Democrat, shall pass unchallenged to his chair. [Vociferous applause, the company rising to their feet.] Ah! gentlemen [renewed applause]—think not, Mr. President, that I am forgetting the occasion or its amenities. [Cries of "No, no," and "Go on."] I am remembering the Puritans; I am remembering Plymouth Rock, and the virtues that made it illustrious. But we, gentlemen, are to imitate those virtues, as our toast says, only by being greater than the men who stood upon that rock. [Applause.] As this gay and luxurious banquet, to their scant and severe fare, so must our virtues, to be worthy of them, be greater and richer than theirs. And as we are three centuries older, so should we be three centuries wiser than they. [Applause.]

Sons of the Pilgrims, you are not to level forests, you are not to war with savage men and savage beasts, you are not to tame a continent, nor even found a State. Our task is nobler, is diviner. Our task, sir, is to reconcile a nation. It is to curb the fury of party spirit. It is to introduce a loftier and manlier tone everywhere into our political life. It is to educate every boy and every girl, and then leave them perfectly free to go from any schoolhouse to any church. [Cries of "Good," and cheers.] Above all, sir, it is to protect absolutely the equal rights of the poorest and the richest, of the most ignorant and the most intelligent citizen, and it is to stand forth, brethren, as a triple wall of brass, around our native land, against the mad blows of violence or the fatal dry-rot of fraud. [Loud applause.] And at this moment, sir, the grave and august shades of the forefathers whom we invoke bend over us in benediction as they call us to this sublime task. This, brothers and friends, this is to imitate the virtues of our forefathers; this is to make our day as glorious as theirs. [Great applause, followed by three cheers for the distinguished speaker.]

§ 45

THE NEW SOUTH

By Henry W. Grady

(Address delivered at the eighty-first anniversary celebration of the New England Society in the city of New York, December 22, 1886.)

Mr. President and Gentlemen: "There was a South of slavery and secession—that South is dead. There is a South of union and freedom—that South, thank God, is living, breathing, growing every hour." These words, delivered from the immortal lips of Benjamin H. Hill, at Tammany Hall in 1866, true then, and truer now, I shall make my text to-night.

Let me express to you my appreciation of the kindness by which I am permitted to address you. I make this abrupt acknowledgment advisedly, for I feel that if, when I raise my provincial voice in this ancient and august presence, I could find courage for no more than the opening sentence, it would be well if, in that sentence, I had met in a rough sense my obligation as a guest, and had perished, so to speak, with courtesy on my lips and grace in my heart. [Laughter.] Permitted through your kindness to catch my second wind, let me say that I appreciate the significance of being the first Southerner to speak at this board, which bears the substance, if it surpasses the semblance, of original New England hospitality [applause], and honors a sentiment that in turn honors you, but in which my personality is lost, and the compliment to my people made plain. [Laughter.]

I bespeak the utmost stretch of your courtesy to-night. I am not troubled about those from whom I come. You remember the man whose wife sent him to a neighbor with a pitcher of milk, and who, tripping on the top step, fell, with such casual interruptions as the landing afforded, into the basement; and while picking himself up had the pleasure of hearing his wife call out: "John, did you break the pitcher?" "No, I didn't," said John, "but I be dinged if I don't!" [Laughter.]

So, while those who call to me from behind may inspire me with energy if not with courage, I ask an indulgent hearing from you. I beg that you will bring your full faith in American fairness and frankness to judgment upon what I shall say. There was an old preacher

Henry Woodfen Grady. Born in Athens, Ga., May 24, 1850; died at Atlanta, Ga., December 23, 1889; educated at University of Georgia and the University of Virginia; editor of the *Atlanta Constitution*, 1880-1889.

once who told some boys of the Bible lesson he was going to read in the morning. The boys finding the place, glued together the connecting pages. [Laughter.] The next morning he read on the bottom of one page: "When Noah was one hundred and twenty years old he took unto himself a wife, who was"—then turning the page—"one hundred and forty cubits long [laughter], forty cubits wide, built of gopher-wood [laughter], and covered with pitch inside and out." [Loud and continued laughter.] He was naturally puzzled at this. He read it again, verified it, and then said: "My friends, this is the first time I ever met this in the Bible, but I accept it as an evidence of the assertion that we are fearfully and wonderfully made." [Laughter.] If I could get you to hold such faith to-night I could proceed cheerfully to the task I otherwise approach with a sense of consecration.

Pardon me one word, Mr. President, spoken for the sole purpose of getting into the volumes that go out annually freighted with the rich eloquence of your speakers—the fact that the Cavalier as well as the Puritan was on the continent in its early days, and that he was "up and able to be about." [Laughter.] I have read your books carefully and I find no mention of that fact, which seems to me an important one for preserving a sort of historical equilibrium if for nothing else. Let me remind you that the Virginia Cavalier first challenged France on this continent —that Cavalier John Smith gave New England its very name, and was so pleased with the job that he has been handing his own name around ever since—and that while Miles Standish was cutting off men's ears for courting a girl without her parents' consent, and forbade men to kiss their wives on Sunday, the Cavalier was courting everything in sight, and that the Almighty had vouchsafed great increase to the Cavalier colonies, the huts in the wilderness being full as the nests in the woods.

But having incorporated the Cavalier as a fact in your charming little books I shall let him work out his own salvation, as he has always done with engaging gallantry, and we will hold no controversy as to his merits. Why should we? Neither Puritan nor Cavalier long survived as such. The virtues and traditions of both happily still live for the inspiration of their sons and the saving of the old fashion. [Applause.] But both Puritan and Cavalier were lost in the storm of the first Revolution; and the American citizen, supplanting both and stronger than either, took possession of the Republic bought by their common blood and fashioned to wisdom, and charged himself with teaching men government and establishing the voice of the people as the voice of God. [Applause.]

My friend Dr. Talmage has told you that the typical American has yet to come. Let me tell you that he has already come. [Applause.] Great types like valuable plants are slow to flower and fruit. But from

the union of these colonist Puritans and Cavaliers, from the straightening of their purposes and the crossing of their blood, slow perfecting through a century, came he who stands as the first typical American, the first who comprehended within himself all the strength and gentleness, all the majesty and grace of this Republic—Abraham Lincoln. [Loud and continued applause.] He was the sum of Puritan and Cavalier, for in his ardent nature were fused the virtues of both, and in the depths of his great soul the faults of both were lost. [Renewed applause.] He was greater than Puritan, greater than Cavalier, in that he was American [renewed applause], and that in his homely form were first gathered the vast and thrilling forces of his ideal government—charging it with such tremendous meaning and so elevating it above human suffering that martyrdom, though infamously aimed, came as a fitting crown to a life consecrated from the cradle to human liberty. [Cheers.] Let us, each cherishing the traditions and honoring his fathers, build with reverent hands to the type of this simple but sublime life, in which all types are honored; and in our common glory as Americans there will be plenty and to spare for your forefathers and for mine. [Renewed cheering.]

In speaking to the toast with which you have honored me, I accept the term, "The New South," as in no sense disparaging to the Old. Dear to me, sir, is the home of my childhood and the traditions of my people. I would not, if I could, dim the glory they won in peace and war, or by word or deed take aught from the splendor and grace of their civilization—never equaled and, perhaps, never to be equaled in its chivalric strength and grace. There is a New South, not through protest against the Old, but because of new conditions, new adjustments and, if you please, new ideas and aspirations. It is to this that I address myself, and to the consideration of which I hasten lest it become the Old South before I get to it. Age does not endow all things with strength and virtue, nor are all new things to be despised. The shoemaker who put over his door "John Smith's shop. Founded in 1760," was more than matched by his young rival across the street who hung out this sign: "Bill Jones. Established 1886. No old stock kept in this shop."

Dr. Talmage has drawn for you, with a master's hand, the picture of your returning armies. He has told you how, in the pomp and circumstance of war, they came back to you, marching with proud and victorious tread, reading their glory in a nation's eyes! Will you bear with me while I tell you of another army that sought its home at the close of the late war—an army that marched home in defeat and not in victory—in pathos and not in splendor, but in glory that equaled yours, and to hearts as loving as ever welcomed heroes home. Let me picture to you the footsore Confederate soldier, as, buttoning up in his faded gray jacket

the parole which was to bear testimony to his children of his fidelity and faith, he turned his face southward from Appomattox in April, 1865. Think of him as a ragged, half-starved, heavy-hearted, enfeebled by want and wounds; having fought to exhaustion, he surrenders his gun, wrings the hands of his comrades in silence, and, lifting his tear-stained and pallid face for the last time to the graves that dot the old Virginia hills, pulls his gray cap over his brow and begins the slow and painful journey. What does he find—let me ask you, who went to your homes eager to find in the welcome you had justly earned, full payment for four years' sacrifice—what does he find when, having followed the battle-stained cross against overwhelming odds, dreading death not half so much as surrender, he reaches the home he left so prosperous and beautiful? He finds his house in ruins, his farm devastated, his slaves free, his stock killed, his barns empty, his trade destroyed, his money worthless; his social system, feudal in its magnificence, swept away; his people without law or legal status, his comrades slain, and the burdens of others heavy on his shoulders. Crushed by defeat, his very traditions are gone; without money, credit, employment, material or training; and, besides all this, confronted with the gravest problem that ever met human intelligence—the establishing of a status for the vast body of his liberated slaves.

What does he do—this hero in gray with a heart of gold? Does he sit down in sullenness and despair? Not for a day. Surely God, who had stripped him of his prosperity, inspired him in his adversity. As ruin was never before so overwhelming, never was restoration swifter. The soldier stepped from the trenches into the furrow; horses that had charged Federal guns marched before the plow, and fields that ran red with human blood in April were green with the harvest in June; women reared in luxury cut up their dresses and made breeches for their husbands, and, with a patience and heroism that fit women always as a garment, gave their hands to work. There was little bitterness in all this. Cheerfulness and frankness prevailed. "Bill Arp" struck the keynote when he said: "Well, I killed as many of them as they did of me, and now I am going to work." [Laughter and applause.] Or the soldier returning home after defeat and roasting some corn on the roadside, who made the remark to his comrades: "You may leave the South if you want to, but I am going to Sandersville, kiss my wife and raise a crop, and if the Yankees fool with me any more I will whip 'em again." [Renewed applause.] I want to say to General Sherman—who is considered an able man in our parts, though some people think he is a kind of careless man about fire—that from the ashes he left us in 1864 we have raised a brave and beautiful city; that somehow or other we have

caught the sunshine in the bricks and mortar of our homes, and have builded therein not one ignoble prejudice or memory. [Applause.]

But in all this what have we accomplished? What is the sum of our work? We have found out that in the general summary the free negro counts more than he did as a slave. We have planted the schoolhouse on the hilltop and made it free to white and black. We have sowed towns and cities in the place of theories and put business above politics. We have challenged your spinners in Massachusetts and your iron-makers in Pennsylvania. We have learned that the $400,000,000 annually received from our cotton crop will make us rich, when the supplies that make it are home-raised. We have reduced the commercial rate of interest from twenty-four to six per cent, and are floating four per cent bonds. We have learned that one Northern immigrant is worth fifty foreigners, and have smoothed the path to southward, wiped out the place where Mason and Dixon's line used to be, and hung our latch-string out to you and yours. [Prolonged cheers.] We have reached the point that marks perfect harmony in every household, when the husband confesses that the pies which his wife cooks are as good as those his mother used to bake; and we admit that the sun shines as brightly and the moon as softly as it did "before the war." [Laughter.] We have established thrift in city and country. We have fallen in love with work. We have restored comfort to homes from which culture and elegance never departed. We have let economy take root and spread among us as rank as the crabgrass which sprang from Sherman's cavalry camps, until we are ready to lay odds on the Georgia Yankee, as he manufactures relics of the battlefield in a one-story shanty and squeezes pure olive oil out of his cotton-seed, against any down-easter that ever swapped wooden nutmegs for flannel sausages in the valleys of Vermont. [Continuous laughter.] Above all, we know that we have achieved in these "piping times of peace" a fuller independence for the South than that which our fathers sought to win in the forum by their eloquence or compel on the field by their swords. [Loud applause.]

It is a rare privilege, sir, to have had part, however humble, in this work. Never was nobler duty confided to human hands than the uplifting and upbuilding of the prostrate and bleeding South, misguided perhaps, but beautiful in her suffering, and honest, brave and generous always. [Applause.] In the record of her social, industrial, and political illustrations we await with confidence the verdict of the world.

But what of the negro? Have we solved the problem he presents or progressed in honor and equity towards the solution? Let the record speak to the point. No section shows a more prosperous laboring population than the negroes of the South; none in fuller sympathy with the

employing and land-owning class. He shares our school fund, has the fullest protection of our laws and the friendship of our people. Self-interest, as well as honor, demand that he should have this. Our future, our very existence depend upon our working out this problem in full and exact justice. We understand that when Lincoln signed the Emancipation Proclamation, your victory was assured; for he then committed you to the cause of human liberty, against which the arms of man cannot prevail [applause]; while those of our statesmen who trusted to make slavery the cornerstone of the Confederacy doomed us to defeat as far as they could, committing us to a cause that reason could not defend or the sword maintain in the sight of advancing civilization. [Renewed applause.] Had Mr. Toombs said, which he did not say, that he would call the roll of his slaves at the foot of Bunker Hill, he would have been foolish, for he might have known that whenever slavery became entangled in war it must perish, and that the chattel in human flesh ended forever in New England when your fathers—not to be blamed for parting with what didn't pay—sold their slaves to our fathers—not to be praised for knowing a paying thing when they saw it. [Laughter.]

The relations of the Southern people with the negro are close and cordial. We remember with what fidelity for four years he guarded our defenceless women and children, whose husbands and fathers were fighting against his freedom. To his eternal credit be it said that whenever he struck a blow for his own liberty he fought in open battle, and when at last he raised his black and humble hands that the shackles might be struck off, those hands were innocent of wrong against his helpless charges, and worthy to be taken in loving grasp by every man who honors loyalty and devotion. [Applause.] Ruffians have maltreated him, rascals have misled him, philanthropists established a bank for him, but the South, with the North, protests against injustice to this simple and sincere people. To liberty and enfranchisement is as far as law can carry the negro. The rest must be left to conscience and common sense. It should be left to those among whom his lot is cast, with whom he is indissolubly connected and whose prosperity depends upon their possessing his intelligent sympathy and confidence. Faith has been kept with him in spite of calumnious assertions to the contrary by those who assume to speak for us or by frank opponents. Faith will be kept with him in the future, if the South holds her reason and integrity. [Applause.]

But have we kept faith with you? In the fullest sense, yes. When Lee surrendered—I don't say when Johnston surrendered, because I understand he still alludes to the time when he met General Sherman last as the time when he "determined to abandon any further prosecution

of the struggle"—when Lee surrendered, I say, and Johnston quit, the South became, and has since been, loyal to this Union. We fought hard enough to know that we were whipped, and in perfect frankness accepted as final the arbitrament of the sword to which we had appealed. The South found her jewel in the toad's head of defeat. The shackles that had held her in narrow limitations fell forever when the shackles of the negro slave were broken. [Applause.] Under the old régime the negroes were slaves to the South, the South was a slave to the system. The old plantation, with its simple police regulation and its feudal habit, was the only type possible under slavery. Thus we gathered in the hands of a splendid and chivalric oligarchy the substance that should have been diffused among the people, as the rich blood, under certain artificial conditions, is gathered at the heart, filling that with affluent rapture, but leaving the body chill and colorless. [Applause.]

The Old South rested everything on slavery and agriculture, unconscious that these could neither give nor maintain healthy growth. The New South presents a perfect democracy, the oligarchs leading in the popular movement—a social system compact and closely knitted, less splendid on the surface but stronger at the core—a hundred farms for every plantation, fifty homes for every palace, and a diversified industry that meets the complex needs of this complex age.

The New South is enamored of her new work. Her soul is stirred with the breath of a new life. The light of a grander day is falling fair on her face. She is thrilling with the consciousness of growing power and prosperity. As she stands upright, full-statured and equal among the people of the earth, breathing the keen air and looking out upon the expanding horizon, she understands that her emancipation came because in the inscrutable wisdom of God her honest purpose was crossed and her brave armies were beaten. [Applause.]

This is said in no spirit of time-serving or apology. The South has nothing for which to apologize. She believes that the late struggle between the States was war and not rebellion, revolution and not conspiracy, and that her convictions were as honest as yours. I should be unjust to the dauntless spirit of the South and to my own convictions if I did not make this plain in this presence. The South has nothing to take back. In my native town of Athens is a monument that crowns its central hills—a plain, white shaft. Deep cut into its shining side is a name dear to me above the names of men, that of a brave and simple man who died in brave and simple faith. Not for all the glories of New England—from Plymouth Rock all the way—would I exchange the heritage he left me in his soldier's death. To the foot of that shaft I shall

send my children's children to reverence him who ennobled their name with his heroic blood. But, sir, speaking from the shadow of that memory, which I honor as I do nothing else on earth, I say that the cause in which he suffered and for which he gave his life was adjudged by higher and fuller wisdom than his or mine, and I am glad that the omniscient God held the balance of battle in His Almighty hand, and that human slavery was swept forever from American soil—the American Union saved from the wreck of war. [Loud applause.]

This message, Mr. President, comes to you from consecrated ground. Every foot of the soil about the city in which I live is sacred as a battle-ground of the Republic. Every hill that invests it is hallowed to you by the blood of your brothers, who died for your victory, and doubly hallowed to us by the blood of those who died hopeless, but undaunted, in defeat—sacred soil to all of us, rich with memories that make us purer and stronger and better, silent but stanch witnesses in its red desolation of the matchless valor of American hearts and the deathless glory of American arms—speaking an eloquent witness in its white peace and prosperity to the indissoluble union of American States and the imperishable brotherhood of the American people. [Repeated cheers.]

Now, what answer has New England to this message? Will she permit the prejudices of war to remain in the hearts of the conquerors, when it has died in the hearts of the conquered? ["No! No!"] Will she transmit this prejudice to the next generation, that in their hearts, which never felt the generous ardor of conflict, it may perpetuate itself? ["No! No!"] Will she withhold, save in strained courtesy, the hand which straight from his soldier's heart Grant offered to Lee at Appomattox? Will she make the vision of a restored and happy people, which gathered above the couch of your dying captain, filling his heart with grace, touching his lips with praise and glorifying his path to the grave; will she make this vision on which the last sigh of his expiring soul breathed a benediction, a cheat and a delusion? [Tumultuous cheering and shouts of "No! No!"] If she does, the South, never abject in asking for comradeship, must accept with dignity its refusal; but if she does not; if she accepts in frankness and sincerity this message of good-will and friendship, then will the prophecy of Webster, delivered in this very Society forty years ago amid tremendous applause, be verified in its fullest and final sense, when he said: "Standing hand to hand and clasping hands, we should remain united as we have been for sixty years, citizens of the same country, members of the same government, united, all united now and united forever. There have been difficulties, contentions, and controversies, but I tell you that in my judgment

" 'Those opposed eyes,
Which like the meteors of a troubled heaven,
All of one nature, of one substance bred,
Did lately meet in th' intestine shock,
Shall now, in mutual well-beseeming ranks,
March all one way.' "

[Prolonged applause.]

§ 46

THE RACE PROBLEM

By Henry W. Grady

(Speech at the annual banquet of the Boston Merchants' Association, at Boston, Mass., December 12, 1889.)

Mr. President: Bidden by your invitation to a discussion of the race problem—forbidden by occasion to make a political speech—I appreciate, in trying to reconcile orders with propriety, the preplexity of the little maid, who, bidden to learn to swim, was yet adjured, "Now, go, my darling; hang your clothes on a hickory limb, and don't go near the water."

The stoutest apostle of the Church, they say, is the missionary, and the missionary, wherever he unfurls his flag, will never find himself in deeper need of unction and address than I, bidden to-night to plant the standard of a Southern Democrat in Boston's banquet hall, and to discuss the problem of the races in the home of Phillips and of Sumner. But, Mr. President, if a purpose to speak in perfect frankness and sincerity; if earnest understanding of the vast interests involved; if a consecrating sense of what disaster may follow further misunderstanding and estrangement; if these may be counted to steady undisciplined speech and to strengthen an untried arm—then, sir, I shall find the courage to proceed.

Happy am I that this mission has brought my feet at last to press New England's historic soil and my eyes to the knowledge of her beauty and her thrift. Here within touch of Plymouth Rock and Bunker Hill—where Webster thundered and Longfellow sang, Emerson thought and Channing preached—here, in the cradle of American letters and almost of American liberty, I hasten to make the obeisance that every American owes New England when first he stands uncovered in her mighty present. Strange apparition! This stern and unique figure—carved from

See page 577.

the ocean and the wilderness—its majesty kindling and growing amid the storms of winter and of wars—until at last the gloom was broken, its beauty disclosed in the sunshine, and the heroic workers rested at its base—while startled kings and emperors gazed and marveled that from the rude touch of this handful cast on a bleak and unknown shore should have come the embodied genius of human government and the perfected model of human liberty! God bless the memory of those immortal workers, and prosper the fortunes of their living sons—and perpetuate the inspiration of their handiwork.

Two years ago, sir, I spoke some words in New York that caught the attention of the North. As I stand here to reiterate, as I have done everywhere, every word I then uttered—to declare that the sentiments I then avowed were universally approved in the South—I realize that the confidence begotten by that speech is largely responsible for my presence here to-night. I should dishonor myself if I betrayed that confidence by uttering one insincere word, or by withholding one essential element of the truth. Apropos of this last, let me confess, Mr. President, before the praise of New England has died on my lips, that I believe the best product of her present life is the procession of seventeen thousand Vermont Democrats that for twenty-two years, undiminished by death, unrecruited by birth or conversion, have marched over their rugged hills, cast their Democratic ballots and gone back home to pray for their unregenerate neighbors, and awake to read the record of twenty-six thousand Republican majority. May the God of the helpless and the heroic help them, and may their sturdy tribe increase.

Far to the South, Mr. President, separated from this section by a line—once defined in irrepressible difference, once traced in fratricidal blood, and now, thank God, but a vanishing shadow—lies the fairest and richest domain of this earth. It is the home of a brave and hospitable people. There is centered all that can please or prosper humankind. A perfect climate above a fertile soil yields to the husbandman every product of the temperate zone. There, by night the cotton whitens beneath the stars, and by day the wheat locks the sunshine in its bearded sheaf. In the same field the clover steals the fragrance of the wind, and tobacco catches the quick aroma of the rains. There are mountains stored with exhaustless treasures; forests—vast and primeval; and rivers that, tumbling or loitering, run wanton to the sea. Of the three essential items of all industries—cotton, iron and wood—that region has easy control. In cotton, a fixed monopoly—in iron, proven supremacy—in timber, the reserve supply of the Republic. From this assured and permanent advantage, against which artificial conditions cannot much longer prevail, has grown an amazing system of industries. Not maintained by

human contrivance of tariff or capital, afar off from the fullest and cheapest source of supply, but resting in divine assurance, within touch of field and mine and forest—not set amid costly farms from which competition has driven the farmer in despair, but amid cheap and sunny lands, rich with agriculture, to which neither season nor soil has set a limit—this system of industries is mounting to a splendor that shall dazzle and illumine the world. That, sir, is the picture and the promise of my home—a land better and fairer than I have told you, and yet but fit setting in its material excellence for the loyal and gentle quality of its citizenship. Against that, sir, we have New England recruiting the Republic from its sturdy loins, shaking from its overcrowded hives new swarms of workers, and touching this land all over with its energy and its courage. And yet—while in the Eldorado of which I have told you but fifteen per cent. of its lands are cultivated, its mines scarcely touched, and its population so scant that, were it set equidistant, the sound of the human voice could not be heard from Virginia to Texas—while on the threshold of nearly every house in New England stands a son, seeking, with troubled eyes, some new land in which to carry his modest patrimony, the strange fact remains that in 1880 the South had fewer northern-born citizens than she had in 1870—fewer in '70 than in '60. Why is this? Why is it, sir, though the section line be now but a mist that the breath may dispel, fewer men of the North have crossed it over to the South, than when it was crimson with the best blood of the Republic, or even when the slaveholder stood guard every inch of its way?

There can be but one answer. It is the very problem we are now to consider. The key that opens that problem will unlock to the world the fairest half of this Republic, and free the halted feet of thousands whose eyes are already kindling with its beauty. Better than this, it will open the hearts of brothers for thirty years estranged, and clasp in lasting comradeship a million hands now withheld in doubt. Nothing, sir, but this problem and the suspicions it breeds, hinders a clear understanding and a perfect union. Nothing else stands between us and such love as bound Georgia and Massachusetts at Valley Forge and Yorktown, chastened by the sacrifices of Manassas and Gettysburg, and illumined with the coming of better work and a nobler destiny than was ever wrought with the sword or sought at the cannon's mouth.

If this does not invite your patient hearing to-night—hear one thing more. My people, your brothers in the South—brothers in blood, in destiny, in all that is best in our past and future—are so beset with this problem that their very existence depends on its right solution. Nor are they wholly to blame for its presence. The slave-ships of the Republic sailed from your ports, the slaves worked in our fields. You will not

defend the traffic, nor I the institution. But I do here declare that in its wise and humane administration in lifting the slave to heights of which he had not dreamed in his savage home, and giving him a happiness he has not yet found in freedom, our fathers left their sons a saving and excellent heritage. In the storm of war this institution was lost. I thank God as heartily as you do that human slavery is gone forever from American soil. But the free man remains. With him, a problem without precedent or parallel. Note its appalling conditions. Two utterly dissimilar races on the same soil—with equal political and civil rights—almost equal in numbers, but terribly unequal in intelligence and responsibility—each pledged against fusion—one for a century in servitude to the other, and freed at last by a desolating war, the experiment sought by neither but approached by both with doubt—these are the conditions. Under these, adverse at every point, we are required to carry these two races in peace and honor to the end.

Never, sir, has such a task been given to mortal stewardship. Never before in this Republic has the white race divided on the rights of an alien race. The red man was cut down as a weed because he hindered the way of the American citizen. The yellow man was shut out of this Republic because he is an alien, and inferior. The red man was owner of the land—the yellow man was highly civilized and assimilable—but they hindered both sections and are gone! But the black man, affecting but one section, is clothed with every privilege of government and pinned to the soil, and my people commanded to make good at any hazard, and at any cost, his full and equal heirship of American privilege and prosperity. It matters not that every other race has been routed or excluded without rime or reason. It matters not that wherever the whites and the blacks have touched, in any era or in any clime, there has been an irreconcilable violence. It matters not that no two races, however similar, have lived anywhere, at any time, on the same soil with equal rights in peace! In spite of these things we are commanded to make good this change of American policy which has not perhaps changed American prejudice—to make certain here what has elsewhere been impossible between whites and blacks—and to reverse, under the very worst conditions, the universal verdict of racial history. And driven, sir, to this superhuman task with an impatience that brooks no delay—a rigor that accepts no excuse—and a suspicion that discourages frankness and sincerity. We do not shrink from this trial. It is so interwoven with our industrial fabric that we cannot disentangle it if we would—so bound up in our honorable obligation to the world, that we would not if we could. Can we solve it? The God who gave it into our hands, He alone can know. But this the weakest and wisest of us do know: we

cannot solve it with less than your tolerant and patient sympathy—with less than the knowledge that the blood that runs in your veins is our blood—and that, when we have done our best, whether the issue be lost or won, we shall feel your strong arms about us and hear the beating of your approving hearts!

The resolute, clear-headed, broad-minded men of the South—the men whose genius made glorious every page of the first seventy years of American history—whose courage and fortitude you tested in five years of the fiercest war—whose energy has made bricks without straw and spread splendor amid the ashes of their war-wasted homes—these men wear this problem in their hearts and brains, by day and by night. They realize, as you cannot, what this problem means—what they owe to this kindly and dependent race—the measure of their debt to the world in whose despite they defended and maintained slavery. And though their feet are hindered in its undergrowth, and their march cumbered with its burdens, they have lost neither the patience from which comes clearness, nor the faith from which comes courage. Nor, sir, when in passionate moments is disclosed to them that vague and awful shadow, with its lurid abysses and its crimson stains, into which I pray God they may never go, are they struck with more of apprehension than is needed to complete their consecration!

Such is the temper of my people. But what of the problem itself? Mr. President, we need not go one step further unless you concede right here that the people I speak for are as honest, as sensible and as just as your people, seeking as earnestly as you would in their place to rightly solve the problem that touches them at every vital point. If you insist that they are ruffians, blindly striving with bludgeon and shotgun to plunder and oppress a race, then I shall sacrifice my self-respect and tax your patience in vain. But admit that they are men of common sense and common honesty, wisely modifying an environment they cannot wholly disregard—guiding and controlling as best they can the vicious and irresponsible of either race—compensating error with frankness, and retrieving in patience what they lost in passion—and conscious all the time that wrong means ruin—admit this, and we may reach an understanding to-night.

The President of the United States, in his late message to Congress, discussing the plea that the South should be left to solve this problem, asks: "Are they at work upon it? What solution do they offer? When will the black man cast a free ballot? When will he have the civil rights that are his? I shall not here protest against a partizanry that, for the first time in our history, in time of peace, has stamped with the great seal of our government a stigma upon the people of a great

and loyal section; though I gratefully remember that the great dead soldier, who held the helm of State for the eight stormiest years of reconstruction, never found need for such a step; and though there is no personal sacrifice I would not make to remove this cruel and unjust imputation on my people from the archives of my country! But, sir, backed by a record, on every page of which is progress, I venture to make earnest and respectful answer to the questions that are asked. We give to the world this year a crop of 7,500,000 bales of cotton, worth $450,000,000, and its cash equivalent in grain, grasses and fruit. This enormous crop could not have come from the hands of sullen and discontented labor. It comes from peaceful fields, in which laughter and gossip rise above the hum of industry, and contentment runs with the singing plow. It is claimed that this ignorant labor is defrauded of its just hire. I present the tax books of Georgia, which show that the negro, twenty-five years ago a slave, has in Georgia alone $10,000,000 of assessed property, worth twice that much. Does not that record honor him and vindicate his neighbors?

What people, penniless, illiterate, has done so well? For every Afro-American agitator, stirring the strife in which alone he prospers, I can show you a thousand negroes, happy in their cabin homes, tilling their own land by day, and at night taking from the lips of their children the helpful message their State sends them from the schoolhouse door. And the schoolhouse itself bears testimony. In Georgia we added last year $250,000 to the school fund, making a total of more than $1,000,000—and this in the face of prejudice not yet conquered—of the fact that the whites are assessed for $368,000,000, the blacks for $10,000,000, and yet forty-nine per cent. of the beneficiaries are black children; and in the doubt of many wise men if education helps, or can help, our problem. Charleston, with her taxable values cut half in two since 1860, pays more in proportion for public schools than Boston. Although it is easier to give much out of much than little out of little, the South, with one-seventh of the taxable property of the country, with relatively larger debt, having received only one-twelfth as much of public lands, and having back of its tax books none of the $500,000,000 of bonds that enrich the North—and though it pays annually $26,000,000 to your section as pensions—yet gives nearly one-sixth to the public school fund. The South since 1865 has spent $122,000,000 in education, and this year is pledged to $32,000,000 more for State and city schools, although the blacks, paying one-thirtieth of the taxes, get nearly one-half of the fund. Go into our fields and see whites and blacks working side by side. On our buildings in the same squad. In our shops at the same forge. Often the blacks crowd the whites from work, or lower wages by their greater

need and simpler habits, and yet are permitted, because we want to bar them from no avenue in which their feet are fitted to tread. They could not there be elected orators of white universities, as they have been here, but they do enter there a hundred useful trades that are closed against them here. We hold it better and wiser to tend the weeds in the garden than to water the exotic in the window.

In the South there are negro lawyers, teachers, editors, dentists, doctors, preachers, multiplying with the increasing ability of their race to support them. In villages and towns they have their military companies equipped from the armories of the State, their churches and societies built and supported largely by their neighbors. What is the testimony of the courts? In penal legislation we have steadily reduced felonies to misdemeanors, and have led the world in mitigating punishment for crime, that we might save, as far as possible, this dependent race from its own weakness. In our penitentiary record sixty per cent. of the prosecutors are negroes, and in every court the negro criminal strikes the colored juror, that white men may judge his case.

In the North, one negro in every 185 is in jail—in the South, only one in 446. In the North the percentage of negro prisoners is six times as great as that of native whites; in the South, only four times as great. If prejudice wrongs him in Southern courts, the record shows it to be deeper in Northern courts. I assert here, and a bar as intelligent and upright as the bar of Massachusetts will solemnly indorse my assertion, that in the Southern courts, from highest to lowest, pleading for life, liberty or property, the negro has distinct advantage because he is a negro, apt to be overreached, oppressed—and that this advantage reaches from the juror in making his verdict to the judge in measuring his sentence.

Now, Mr. President, can it be seriously maintained that we are terrorizing the people from whose willing hands comes every year $1,000,000,000 of farm crops? Or have robbed a people who, twenty-five years from unrewarded slavery, have amassed in one State $20,000,000 of property? Or that we intend to oppress the people we are arming every day? Or deceive them, when we are educating them to the utmost limit of our ability? Or outlaw them, when we work side by side with them? Or reënslave them under legal forms, when for their benefit we have even imprudently narrowed the limit of felonies and mitigated the severity of law? My fellow-countrymen, as you yourselves may sometimes have to appeal at the bar of human judgment for justice and for right, give to my people to-night the fair and unanswerable conclusion of these incontestable facts.

But it is claimed that under this fair seeming there is disorder and

violence. This I admit. And there will be until there is one ideal community on earth after which we may pattern. But how widely is it misjudged? It is hard to measure with exactness whatever touches the negro. His helplessness, his isolation, his century of servitude,—these dispose us to emphasize and magnify his wrongs. This disposition, inflamed by prejudice and partizanry, has led to injustice and delusion. Lawless men may ravage a county in Iowa and it is accepted as an incident—in the South, a drunken row is declared to be the fixed habit of the community. Regulators may whip vagabonds in Indiana by platoons and it scarcely arrests attention—a chance collision in the South among relatively the same classes is gravely accepted as evidence that one race is destroying the other. We might as well claim that the Union was ungrateful to the colored soldier who followed its flag because a Grand Army post in Connecticut closed its doors to a negro veteran as for you to give racial significance to every incident in the South, or to accept exceptional grounds as the rule of our society. I am not one of those who becloud American honor with the parade of the outrages of either section, and belie American character by declaring them to be significant and representative. I prefer to maintain that they are neither, and stand for nothing but the passion and sin of our poor fallen humanity. If society, like a machine, were no stronger than its weakest part, I should despair of both sections. But, knowing that society, sentient and responsible in every fiber, can mend and repair until the whole has the strength of the best, I despair of neither. These gentlemen who come with me here, knit into Georgia's busy life as they are, never saw, I dare assert, an outrage committed on a negro! And if they did, no one of you would be swifter to prevent or punish. It is through them, and the men and women who think with them—making nine-tenths of every Southern community—that these two races have been carried thus far with less of violence than would have been possible anywhere else on earth. And in their fairness and courage and steadfastness—more than in all the laws that can be passed, or all the bayonets that can be mustered—is the hope of our future.

When will the blacks cast a free ballot? When ignorance anywhere is not dominated by the will of the intelligent; when the laborer anywhere casts a vote unhindered by his boss; when the vote of the poor anywhere is not influenced by the power of the rich; when the strong and the steadfast do not everywhere control the suffrage of the weak and shiftless—then, and not till then, will the ballot of the negro be free. The white people of the South are banded, Mr. President, not in prejudice against the blacks—not in sectional estrangement—not in the hope of political dominion—but in a deep and abiding necessity. Here is this

vast ignorant and purchasable vote—clannish, credulous, impulsive, and passionate—tempting every art of the demagogue, but insensible to the appeal of the statesman. Wrongly started, in that it was led into alienation from its neighbor and taught to rely on the protection of an outside force, it cannot be merged and lost in the two great parties through logical currents, for it lacks political conviction and even that information on which conviction must be based. It must remain a faction—strong enough in every community to control on the slightest division of the whites. Under that division it becomes the prey of the cunning and unscrupulous of both parties. Its credulity is imposed upon, its patience inflamed, its cupidity tempted, its impulses misdirected —and even its superstition made to play its part in a campaign in which every interest of society is jeopardized and every approach to the ballot-box debauched. It is against such campaigns as this—the folly and the bitterness and the danger of which every Southern community has drunk deeply—that the white people of the South are banded together. Just as you in Massachusetts would be banded if 300,000 men, not one in a hundred able to read his ballot—banded in race instinct holding against you the memory of a century of slavery, taught by your late conquerors to distrust and oppose you, had already travestied legislation from your State House, and in every species of folly or villainy had wasted your substance and exhausted your credit.

But admitting the right of the whites to unite against this tremendous menace, we are challenged with the smallness of our vote. This has long been flippantly charged to be evidence and has now been solemnly and officially declared to be proof of political turpitude and baseness on our part. Let us see. Virginia—a state now under fierce assault for this alleged crime—cast in 1888 seventy-five per cent. of her vote; Massachusetts, the State in which I speak, sixty per cent. of her vote. Was it suppression in Virginia and natural causes in Massachusetts? Last month Virginia cast sixty-nine per cent. of her vote; and Massachusetts, fighting in every district, cast only forty-nine per cent. of hers. If Virginia is condemned because thirty-one per cent. of her vote was silent, how shall this State escape, in which fifty-one per cent. was dumb? Let us enlarge this comparison. The sixteen Southern States in '88 cast sixty-seven per cent. of their total vote—the six New England States but sixty-three per cent. of theirs. By what fair rule shall the stigma be put upon one section while the other escapes? A congressional election in New York last week, with the polling place in touch of every voter, brought out only 6,000 votes of 28,000—and the lack of opposition is assigned as the natural cause. In a district in my State, in which an opposition speech has not been heard in ten years and the polling places

are miles apart—under the unfair reasoning of which my section has been a constant victim—the small vote is charged to be proof of forcible suppression. In Virginia an average majority of 12,000, unless hopeless division of the minority, was raised to 42,000; in Iowa, in the same election, a majority of 32,000 was wiped out and an opposition majority of 8,000 was established. The change of 40,000 votes in Iowa is accepted as political revolution—in Virginia an increase of 30,000 on a safe majority is declared to be proof of political fraud.

It is deplorable, sir, that in both sections a larger percentage of the vote is not regularly cast. But more inexplicable that this should be so in New England than in the South. What invites the negro to the ballot-box? He knows that of all men it has promised him most and yielded him least. His first appeal to suffrage was the promise of "forty acres and a mule"; his second, the threat that Democratic success meant his reënslavement. Both have been proved false in his experience. He looked for a home, and he got the Freedman's Bank. He fought under promise of the loaf, and in victory was denied the crumbs. Discouraged and deceived, he has realized at last that his best friends are his neighbors with whom his lot is cast, and whose prosperity is bound up in his —and that he has gained nothing in politics to compensate the loss of their confidence and sympathy, that is at last his best and enduring hope. And so, without leaders or organization—and lacking the resolute heroism of my party friends in Vermont that make their hopeless march over the hills a high and inspiring pilgrimage—he shrewdly measures the occasional agitator, balances his little account with politics, touches up his mule, and jogs down the furrow, letting the mad world wag as it will!

The negro voter can never control in the South, and it would be well if partizans at the North would understand this. I have seen the white people of a State set about by black hosts until their fate seemed sealed. But, sir, some brave men, banding them together, would rise as Elisha rose in beleaguered Samaria, and, touching their eyes with faith, bid them look abroad to see the very air "filled with the chariots of Israel and the horsemen thereof." If there is any human force that cannot be withstood, it is the power of the banded intelligence and responsibility of a free community. Against it, numbers and corruption cannot prevail. It cannot be forbidden in the law, or divorced in force. It is the inalienable right of every free community—the just and righteous safeguard against an ignorant or corrupt suffrage. It is on this, sir, that we rely in the South. Not the cowardly menace of mask or shotgun, but the peaceful majesty of intelligence and responsibility, massed and unified for the protection of its homes and the preservation of its liberty. That, sir, is our reliance and our hope, and against it all the

powers of earth shall not prevail. It is just as certain that Virginia would come back to the unchallenged control of her white race—that before the moral and material power of her people once more unified, opposition would crumble until its last desperate leader was left alone, vainly striving to rally his disordered hosts—as that night should fade in the kindling glory of the sun. You may pass force bills, but they will not avail. You may surrender your own liberties to federal election law; you may submit, in fear of a necessity that does not exist, that the very form of this government may be changed; you may invite federal interference with the New England town meeting, that has been for a hundred years the guarantee of local government in America—this old State which holds in its charter the boast that it "is a free and independent commonwealth"—it may deliver its election machinery into the hands of the government it helped to create—but never, sir, will a single State of this Union, North or South, be delivered again to the control of an ignorant and inferior race. We wrested our state governments from negro supremacy when the Federal drumbeat rolled closer to the ballot-box, and Federal bayonets hedged it deeper about than will ever again be permitted in this free government. But, sir, though the cannon of this Republic thundered in every voting district in the South, we still should find in the mercy of God the means and the courage to prevent its reëstablishment.

I regret, sir, that my section, hindered with this problem, stands in seeming estrangement to the North. If, sir, any man will point out to me a path down which the white people of the South, divided, may walk in peace and honor, I will take that path, though I take it alone—for at its end, and nowhere else, I fear, is to be found the full prosperity of my section and the full restoration of this Union. But, sir, if the negro had not been enfranchised the South would have been divided and the Republic united. His enfranchisement—against which I enter no protest—holds the South united and compact. What solution, then, can we offer for the problem? Time alone can disclose it to us. We simply report progress, and ask your patience. If the problem be solved at all—and I firmly believe it will, though nowhere else has it been—it will be solved by the people most deeply bound in interest, most deeply pledged in honor to its solution. I had rather see my people render back this question rightly solved than to see them gather all the spoils over which faction has contended since Cataline conspired and Cæsar fought. Meantime we treat the negro fairly, measuring to him justice in the fullness the strong should give to the weak, and leading him in the steadfast ways of citizenship, that he may no longer be the prey of the unscrupulous and the sport of the thoughtless. We open to him every pur-

suit in which he can prosper, and seek to broaden his training and capacity. We seek to hold his confidence and friendship—and to pin him to the soil with ownership, that he may catch in the fire of his own hearthstone that sense of responsibility the shiftless can never know. And we gather him into that alliance of intelligence and responsibility that, though it now runs close to racial lines, welcomes the responsible and intelligent of any race. By this course, confirmed in our judgment, and justified in the progress already made, we hope to progress slowly but surely to the end.

The love we feel for that race, you cannot measure nor comprehend. As I attest it here, the spirit of my old black mammy, from her home up there, looks down to bless, and through the tumult of this night steals the sweet music of her croonings as thirty years ago she held me in her black arms and led me smiling to sleep. This scene vanishes as I speak, and I catch a vision of an old Southern home with its lofty pillars and its white pigeons fluttering down through the golden air. I see women with strained and anxious faces, and children alert yet helpless. I see night come down with its dangers and its apprehensions, and in a big homely room I feel on my tired head the touch of loving hands —now worn and wrinkled, but fairer to me yet than the hands of mortal woman, and stronger yet to lead me than the hands of mortal man—as they lay a mother's blessing there, while at her knees—the truest altar I yet have found—I thank God that she is safe in her sanctuary, because her slaves, sentinel in the silent cabin, or guard at her chamber door, puts a black man's loyalty between her and danger.

I catch another vision. The crisis of battle—a soldier, struck, staggering, fallen. I see a slave, scuffling through the smoke, winding his black arms about the fallen form, reckless of hurtling death—bending his trusty face to catch the words that tremble on the stricken lips, so wrestling meantime with agony that he would lay down his life in his master's stead. I see him by the weary bedside, ministering with uncomplaining patience, praying with all his humble heart that God will lift his master up, until death comes in mercy and in honor to still the soldier's agony and seal the soldier's life. I see him by the open grave —mute, motionless, uncovered, suffering for the death of him who in life fought against his freedom. I see him, when the mold is heaped and the great drama of his life is closed, turn away and with downcast eyes and uncertain step start out into new and strange fields, faltering, struggling, but moving on, until his shambling figure is lost in the light of this better and brighter day. And from the grave comes a voice, saying, "Follow him! put your arms about him in his need, even as he put his about me. Be his friend as he was mine." And out into this

new world—strange to me as to him, dazzling, bewildering both—I follow! And may God forget my people—when they forget these!

Whatever the future may hold for them, whether they plod along in the servitude from which they have never been listed since the Cyrenian was laid hold upon by the Roman soldiers, and made to bear the cross of the fainting Christ—whether they find homes again in Africa, and thus hasten the prophecy of the psalmist, who said, "And suddenly Ethiopia shall hold out her hands unto God"—whether forever dislocated and separate, they remain a weak people, beset by stronger, and exist, as the Turk, who lives in the jealousy rather than in the conscience of Europe—or whether in this miraculous Republic they break through the caste of twenty centuries and, belying universal history, reach the full stature of citizenship, and in peace maintain it—we shall give them uttermost justice and abiding friendship. And whatever we do, into whatever seeming estrangement we may be driven, nothing shall disturb the love we bear this Republic, or mitigate our consecration to its service. I stand here, Mr. President, to profess no new loyalty. When General Lee, whose heart was the temple of our hopes, and whose arm was clothed with our strength, renewed his allegiance to this Government at Appomattox, he spoke from a heart too great to be false, and he spoke for every honest man from Maryland to Texas. From that day to this Hamilcar has nowhere in the South sworn young Hannibal to hatred and vengeance, but everywhere to loyalty and to love. Witness the veteran standing at the base of a Confederate monument, above the graves of his comrades, his empty sleeve tossing in the April wind, adjuring the young men about him to serve as earnest and loyal citizens the Government against which their fathers fought. This message, delivered from that sacred presence, has gone home to the hearts of my fellows! And, sir, I declare here, if physical courage be always equal to human aspiration, that they would die, sir, if need be, to restore this Republic their fathers fought to dissolve.

Such, Mr. President, is this problem as we see it, such is the temper in which we approach it, such the progress made. What do we ask of you? First, patience; out of this alone can come perfect work. Second, confidence; in this alone can you judge fairly. Third, sympathy; in this you can help us best. Fourth, give us your sons as hostages. When you plant your capital in millions, send your sons that they may know how true are our hearts and may help to swell the Caucasian current until it can carry with danger this black infusion. Fifth, loyalty to the Republic—for there is sectionalism in loyalty as in estrangement. This hour little needs the loyalty that is loyal to one section and yet holds the other in enduring suspicion and estrangement. Give us the broad

and perfect loyalty that loves and trusts Georgia alike with Massachusetts—that knows no South, no North, no East, no West, but endears with equal and patriotic love every foot of our soil, every State of our Union.

A mighty duty, sir, and a mighty inspiration impels everyone of us to-night to lose in patriotic consecration whatever estranges, whatever divides. We, sir, are Americans—and we stand for human liberty! The uplifting force of the American idea is under every throne on earth. France, Brazil—these are our victories. To redeem the earth from kingcraft and oppression—this is our mission! And we shall not fail. God has sown in our soil the seed of His millennial harvest, and He will not lay the sickle to the ripening crop until His full and perfect day has come. Our history, sir, has been a constant and expanding miracle, from Plymouth Rock and Jamestown, all the way—aye, even from the hour when from the voiceless and traceless ocean a new world rose to the sight of the inspired sailor. As we approach the fourth centennial of that stupendous day—when the old world will come to marvel and to learn amid our gathering treasures—let us resolve to crown the miracles of our past with the spectacle of a Republic, compact, united, indissoluble in the bonds of love—loving from the Lakes to the Gulf—the wounds of war healed in every heart as on every hill, serene and resplendent at the summit of human achievement and earthly glory, blazing out the path and making clear the way up which all the nations of the earth must come in God's appointed time! [Great applause.]

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AMERICA'S MISSION

By William Jennings Bryan

(Speech delivered at the Washington Day banquet given by the Virginia Democratic Association at Washington, D. C., February 22, 1899.)

Mr. Chairman: When the advocates of imperialism find it impossible to reconcile a colonial policy with the principles of our government or with the canons of morality; when they are unable to defend it upon the ground of religious duty or pecuniary profit, they fall back in help-

William Jennings Bryan. Born in Salem, Ill., March 19, 1860; graduated from Illinois College, 1881; admitted to the bar in Illinois in 1883; member of Congress from Lincoln, Nebr., 1891-1905; editor of the *Omaha World-Herald,* 1894-1896; unsuccessful candidate for President of the United States on the Democratic ticket, 1896, 1900, 1908; Secretary of State in the Cabinet of President Wilson, 1913-1915.

less despair upon the assertion that it is destiny. "Suppose it does violate the constitution," they say; "suppose it does break all the commandments; suppose it does entail upon the nation an incalculable expenditure of blood and money; it is destiny and we must submit."

The people have not voted for imperialism! no national convention has declared for it; no Congress has passed upon it. To whom, then, has the future been revealed? Whence this voice of authority? We can all prophesy, but our prophecies are merely guesses, colored by our hopes and our surroundings. Man's opinion of what is to be is half wish and half environment. Avarice paints destiny with a dollar mark before it, militarism equips it with a sword.

He is the best prophet who, recognizing the omnipotence of truth, comprehends most clearly the great forces which are working out the progress, not of one party, not of one nation, but of the human race.

History is replete with predictions which once wore the hue of destiny, but which failed of fulfilment because those who uttered them saw too small an arc of the circle of events. When Pharaoh pursued the fleeing Israelites to the edge of the Red Sea he was confident that their bondage would be renewed and that they would again make bricks without straw, but destiny was not revealed until Moses and his followers reached the farther shore dry shod and the waves rolled over the horses and chariots of the Egyptians. When Belshazzar, on the last night of his reign, led his thousand lords into the Babylonian banquet-hall and sat down to a table glittering with vessels of silver and gold, he felt sure of his kingdom for many years to come, but destiny was not revealed until the hand wrote upon the wall those awe-inspiring words, "Mene, Mene, Tekel Upharsin." When Abderrahman swept northward with his conquering hosts his imagination saw the Crescent triumphant throughout the world, but destiny was not revealed until Charles Martel raised the cross above the battlefield of Tours and saved Europe from the sword of Mohammedanism. When Napoleon emerged victorious from Marengo, from Ulm and from Austerlitz, he thought himself the child of destiny, but destiny was not revealed until Blücher's forces joined the army of Wellington and the vanquished Corsican began his melancholy march toward St. Helena. When the redcoats of George the Third routed the New Englanders at Lexington and Bunker Hill there arose before the British sovereign visions of colonies taxed without representation and drained of their wealth by foreign-made laws, but destiny was not revealed until the surrender of Cornwallis completed the work begun at Independence Hall and ushered into existence a government deriving its just powers from the consent of the governed.

We have reached another crisis. The ancient doctrine of imperialism, banished from our land more than a century ago, has recrossed the Atlantic and challenged democracy to mortal combat upon American soil.

Whether the Spanish war shall be known in history as a war for liberty or as a war of conquest; whether the principles of self-government shall be strengthened or abandoned; whether this nation shall remain a homogeneous republic or become a heterogeneous empire—these questions must be answered by the American people—when they speak, and not until then, will destiny be revealed.

Destiny is not a matter of chance, it is a matter of choice; it is not a thing to be waited for, it is a thing to be achieved.

No one can see the end from the beginning, but everyone can make his course an honorable one from beginning to end, by adhering to the right under all circumstances. Whether a man steals much or little may depend upon his opportunities, but whether he steals at all depends upon his own volition.

So with our nation. If we embark upon a career of conquest no one can tell how many islands we may be able to seize or how many races we may be able to subjugate; neither can anyone estimate the cost, immediate and remote, to the nation's purse and to the nation's character, but whether we shall enter upon such a career is a question which the people have a right to decide for themselves.

Unexpected events may retard or advance the nation's growth, but the nation's purpose determines its destiny.

What is the nation's purpose?

The main purpose of the founders of our government was to secure for themselves and for posterity the blessings of liberty, and that purpose has been faithfully followed up to this time. Our statesmen have opposed each other upon economic questions, but they have agreed in defending self-government as the controlling national idea. They have quarreled among themselves over tariff and finance, but they have been united in their opposition to an entangling alliance with any European power.

Under this policy your nation has grown in numbers and in strength. Under this policy its beneficent influence has encircled the globe. Under this policy the taxpayers have been spared the burden and the menace of a large military establishment and the young men have been taught the arts of peace rather than the science of war. On each returning Fourth of July our people have met to celebrate the signing of the Declaration of Independence; their hearts have renewed their vows to free institutions and their voices have praised the forefathers whose wisdom

and courage and patriotism made it possible for each succeeding generation to repeat the words:—

"My country, 'tis of thee,
Sweet land of Liberty,
Of thee I sing."

This sentiment was well-nigh universal until a year ago. It was to this sentiment that the Cuban insurgents appealed; it was this sentiment that impelled our people to enter into the war with Spain. Have the people so changed within a few short months that they are now willing to apologize for the War of the Revolution and force upon the Filipinos the same system of government against which the colonists protested with fire and sword?

The hour of temptation has come, but temptations do not destroy, they merely test the strength of individuals and nations; they are stumbling blocks or stepping-stones; they lead to infamy or fame, according to the use made of them.

Benedict Arnold and Ethan Allen served together in the Continental army and both were offered British gold. Arnold yielded to the temptation and made his name a synonym for treason; Allen resisted and lives in the affections of his countrymen.

Our nation is tempted to depart from its "standard of morality" and adopt a policy of "criminal aggression." But will it yield?

If I mistake not the sentiment of the American people they will spurn the bribe of imperialism, and, by resisting temptation, win such a victory as has not been won since the battle of Yorktown. Let it be written of the United States: Behold a republic that took up arms to aid a neighboring people, struggling to be free; a republic that, in the progress of war, helped distant races whose wrongs were not in contemplation when hostilities began; a republic that, when peace was restored, turned a deaf ear to the clamorous voice of greed and to those borne down by the weight of a foreign yoke spoke the welcome words, Stand up; be free—let this be the record made on history's page and the silent example of this republic, true to its principles in the hour of trial, will do more to extend the area of self-government and civilization than could be done by all the wars of conquest that we could wage in a generation.

The forcible annexation of the Philippine Islands is not necessary to make the United States a world-power. For over ten decades our nation has been a world-power. During its brief existence it has exerted upon the human race an influence more potent for good than all the other nations of the earth combined, and it has exerted that influence

without the use of sword or Gatling gun. Mexico and the republics of Central and South America testify to the benign influence of our institutions, while Europe and Asia give evidence of the working of the leaven of self-government. In the growth of democracy we observe the triumphant march of an idea—an idea that would be weighted down rather than aided by the armor and weapons proffered by imperialism.

Much has been said of late about Anglo-Saxon civilization. Far be it from me to detract from the service rendered to the world by the sturdy race whose language we speak. The union of the Angle and the Saxon formed a new and valuable type, but the process of race evolution was not completed when the Angle and the Saxon met. A still later type has appeared which is superior to any which has existed heretofore; and with this new type will come a higher civilization than any which has preceded it. Great has been the Greek, the Latin, the Slav, the Celt, the Teuton and the Anglo-Saxon, but greater than any of these is the American, in whom are blended the virtues of them all.

Civil and religious liberty, universal education and the right to participate, directly or through representatives chosen by himself, in all the affairs of government—these give to the American citizen an opportunity and an inspiration which can be found nowhere else.

Standing upon the vantage ground already gained the American people can aspire to a grander destiny than has opened before any other race.

Anglo-Saxon civilization has taught the individual to protect his own rights; American civilization will teach him to respect the rights of others.

Anglo-Saxon civilization has taught the individual to take care of himself; American civilization, proclaiming the equality of all before the law, will teach him that his own highest good requires the observance of the commandment: "Thou shalt love thy neighbor as thyself."

Anglo-Saxon civilization has, by force of arms, applied the art of government to other races for the benefit of Anglo-Saxons; American civilization will, by the influence of example, excite in other races a desire for self-government and a determination to secure it.

Anglo-Saxon civilization has carried its flag to every clime and defended it with forts and garrisons; American civilization will imprint its flag upon the hearts of all who long for freedom.

To American civilization, all hail!

"Time's noblest offspring is the last!" [Long-continued applause.]

§ 48

THE BRITISH COMMONWEALTH OF NATIONS

By Jan Christian Smuts

(Speech delivered at a banquet given in his honor by members of both Houses of Parliament on May 15, 1917.)

Ever since I have come to this country, about two months ago, I have received nothing but the most profound and charming kindness and hospitality, which has culminated in this unique banquet to-night. I appreciate it all the more because I know it is given at a time when the greatest storm in the world's history is raging, and when nobody in this country or great city feels inclined to indulge in any festivities or banquets. When I return home, I shall be able to tell the people of South Africa that I have been received by you not as a guest, not as a stranger, but simply as one of yourselves. Speaking with a somewhat different accent, and laying a different emphasis on many things, as no doubt becomes a barbarian from the outer marches of the Empire—and one whose mind is not yet deeply furrowed with trenches and dugouts—I would like first of all to say how profoundly thankful I am to Lord French for the words which have fallen from his lips. Your expressions in regard to myself are largely, I feel, undeserved. At any rate, I accept them as coming from an old opponent and comrade in arms. I know they are meant in the best spirit, and I accept them as such.

Your words recall to my mind many an incident of those stirring times when we were opposing commanders in the Boer War. I may refer to two. On one occasion I was surrounded by Lord French—and was practically face to face with disaster. Nothing was left me but, by the most diligent scouting, to find a way out. I ventured into a place which bore the very appropriate name of Murderers' Gap—and I was the only man who came out alive. One account of that stated that one Boer escaped, but he probably had so many bullets in him that he would be no further danger. I survived to be your guest to-night. Two days after I broke through—blessed words in these times—and on a very dark night, I came to a railway, which I was just on the point of crossing, when we heard a train. Some of us felt inclined to wreck and cap-

Jan Christian Smuts. Born 1870; educated at Victoria College (Stellen-bosch, South Africa), and Cambridge University; practised law in Cape Town; supreme commander Boer troops in Boer War; South African representative in the Imperial War Cabinet of Great Britain, 1917-1918.

ture that train, but for some reason or other I said, "No, let it pass." You can imagine my feelings when some time afterwards I learned that the only freight on that train was Sir John French with one or two A.D.C.'s, moving round from one part of his front to another to find out how I had broken through. If I had not missed that chance, he would have been my guest, no doubt very welcome, though no doubt embarrassing. Fate has willed otherwise. I am his guest.

Those were very difficult and strenuous days in which one learned many a valuable lesson, good for all life. One of those lessons was that under stress of great difficulty practically everything breaks down ultimately, and the only things that survive are really the simple human feelings of loyalty and comradeship to your fellows, and patriotism which can stand any strain and bear you through all difficulty and privation. We soldiers know the extraordinary value of these simple feelings, how far they go, and what strain they can bear, and how ultimately they support the whole weight of civilization. That war was carried on by both sides in a sportsmanlike spirit, and in a clean, chivalrous way—and out of that calamity has been produced the happy state of affairs that you see to-day in South Africa, and which led to a new basis on which to build the larger and happier South Africa which is arising to-day.

I am sure in the present great struggle now being waged you will see some cause leading to lasting results. Here you have from all parts of the British Empire young men gathering on the battlefields of Europe, and whilst your statesmen keep planning a great scheme of union for the future of the Empire, my feeling is that very largely the work is already done. The spirit of comradeship has been borne in this campaign on the battlefields of Europe, and many of the men from the various parts of the Empire will be far more powerful than any instrument of government that you can elect in the future. I feel sure that in after days, when our successors come to sum up what has happened and draw up a balance-sheet, there will be a good credit balance due to this common feeling of comradeship which will have been built up. Now once more, as many ages ago during the Roman Empire, the Germanic volcano is in eruption, and the whole world is shaking. No doubt in this great evolution you are faced in this country with the most difficult and enormous problems which any Government or people have ever been called upon to face—problems of world-wide strategy, of manpower, communications, food supply, of every imaginable kind and magnitude, so large that it is almost beyond the wit of man to solve them, and it is intelligible that where you have so many difficulties to face, one

forgets to keep before one's eye the situation as a whole. And yet that is very necessary.

It is most essential that even in this bitter struggle, even when Europe is looming so large before our eyes, we should keep before us the whole situation. We should see it steadily and see it whole. I would ask you not to forget in these times the British Commonwealth of nations. Do not forget that larger world which is made up of all the nations that belong to the Empire. Bear in mind that after all Europe is not so large, and will not always continue to loom so large as at present. Even now in the struggle the pace of Europe is being permanently slowed down. Your Empire is spread all over the world, and even where the pace is slowed down in one portion it is accelerated in another, and you have to keep the whole before you in order to judge fairly and sanely of the factors which affect the whole.

I wish to say a few words to-night on this subject, because I think there is a tendency sometimes to forget certain aspects of the great questions with which we are now confronted. That is one of the reasons why I am glad the Imperial Conference was called at this time, apparently a very opportune moment, and yet the calling of this Conference at this time has already directed attention once more to that other aspect of the whole situation which is so important to us. Remember, it is not only Europe that we have to consider, but also the future of this great commonwealth to which we all belong. It is peculiarly situated; it is scattered over the whole world; it is not a compact territory; it is dependent for its very existence on world-wide communications, which must be maintained or this Empire goes to pieces. In the past thirty years you see what has happened. Everywhere upon your communications Germany has settled down; everywhere upon the communications of the whole globe you will find a German colony here and there, and the day would have come when your Empire would have been in very great jeopardy from your lines of communication being cut.

Now, one of the by-products of this war has been that the whole world outside Europe has been cleared of the enemy. Germany has been swept from the seas, and from all continents except Central Europe. Whilst Germany has been gaining ground in Central Europe, from the rest of the world she has been swept clean; and, therefore, you are now in this position—almost providentially brought to this position—that once more you can consider the problem of your future as a whole. When peace comes to be made you have all these parts in your hand, and you can go carefully into the question of what is necessary for your future security and your future safety as an Empire, and you can say,

so far as it is possible under war circumstances, what you are going to keep and what you are going to give away.

That is a very important precedent. I hope when the time comes—I am speaking for myself, and expressing nobody's opinion but my own—I feel when the time comes for peace we should not bear only Central Europe in mind, but the whole British Empire. As far as we are concerned, we do not wish this war to have been fought in vain. We have not fought for material gain, or for territory; we have fought for security in the future. If we attach any value to this group of nations which compose the British Empire, then we, in settling peace, will have to look carefully at our future safety and security, and I hope that will be done, and that no arrangement will be made which will jeopardize the very valuable and lasting results which have been attained.

That is the geographical question. There remains the other question—a very difficult question—of the future constitutional relations and readjustments in the British Empire. At a luncheon given recently by the Empire Parliamentary Association I said, rather cryptically, that I did not think this was a matter in which we should follow precedents, and I hope you will bear with me if I say a few words on that theme, and develop more fully what I meant. I think we are inclined to make mistakes in thinking about this group of nations to which we belong, because too often we think of it merely as one State. The British Empire is much more than a State. I think the very expression "Empire" is misleading, because it makes people think as if we are one single entity, one unity, to which that term "Empire" can be applied. We are not an Empire. Germany is an Empire, so was Rome, and so is India, but we are a system of nations, a community of states and of nations far greater than any empire which has ever existed; and by using this ancient expression we really obscure the real fact that we are larger and that our whole position is different, and that we are not one nation, or state, or empire, but we are a whole world by ourselves, consisting of many nations and states, and all sorts of communities under one flag. We are a system of states, not only a static system, a stationary system, but a dynamic system, growing, evolving all the time towards new destinies.

Here you have a kingdom with a number of Crown colonies; besides that you have large protectorates like Egypt, which is an empire in itself, which was one of the greatest empires in the world. Besides that you have great dependencies like India—an empire in itself, one of the oldest civilizations in the world, and we are busy there trying to see how East and West can work together, how the forces that have kept the East going can be worked in conjunction with the ideas we have evolved in

Western civilization for enormous problems within that State. But beyond that we come to the so-called Dominions, a number of nations and states almost sovereign, almost independent, who govern themselves, who have been evolved on the principles of your constitutional system, now almost independent states, and who all belong to this group, to this community of nations, which I prefer to call the British Commonwealth of nations. Now, you see that no political ideas that we evolved in the past, no nomenclature will apply to this world which is comprised in the British Empire; any expression, any name which we have found so far for this group has been insufficient, and I think the man who would discover the real appropriate name for this vast system of entities would be doing a great service not only to this country, but to constitutional theory.

The question is, how are you going to provide for the future government of this group of nations? It is an entirely new problem. If you want to see how great it is, you must take the United States in comparison. There you find what is essential—one nation, not perhaps in the fullest sense, but more and more growing into one; one big State, consisting of subordinate parts, but whatever the nomenclature of the United States Constitution, you have one national State, over one big, contiguous area. That is the problem presented by the United States, and for which they discovered this federal solution, which means subordinate governments for the subordinate parts, but one national Federal Parliament for the whole.

Compare with that state of facts this enormous system comprised in the British Empire of nations all over the world, some independent, living under diverse conditions, and all growing towards greater nations than they are at present. You can see at once that the solution which has been found practicable in the case of the United States probably never will work under our system. That is what I feel in all the empires of the past, and even in the United States—the effort has been towards forming one nation. All the empires that we have known in the past and that exist to-day are founded on the idea of assimilation, of trying to force different human material through one mold so as to form one nation. Your whole idea and basis is entirely different. You do not want to standardize the nations of the British Empire. You want to develop them into greater nationhood. These younger communities, the offspring of the Mother Country, or territories like that of my own people, which have been annexed after various vicissitudes of war—all these you want not to mold on any common pattern, but you want them to develop according to the principles of self-government and freedom and liberty. Therefore, your whole basic idea is differ-

ent from anything that has ever existed before, either in the empires of the past or even in the United States.

I think that this is the fundamental fact which we have to bear in mind—that the British Empire, or this British Commonwealth of nations, does not stand for unity, standardization, or assimilation, or denationalization; but it stands for a fuller, a richer, and more various life among all the nations that compose it. And even nations who have fought against you, like my own, must feel that they and their interests, their language, their religions, and all their cultural interests are as safe and as secure under the British flag as those of the children of your household and your own blood. It is only in proportion as that is realized that you will fulfil the true mission which you have undertaken. Therefore, it seems, speaking of my own individual opinion, that there is only one solution, that is the solution supplied by our past traditions of freedom, self-government, and the fullest development. We are not going to force common Governments, federal or otherwise, but we are going to extend liberty, freedom, and nationhood more and more in every part of the Empire.

The question arises, how are you going to keep this world together if there is going to be all this enormous development towards a more varied and richer life among all its parts? It seems to me that you have two potent factors that you must rely on for the future. The first is your hereditary kingship. I have seen some speculations recently in the papers of this country upon the position of the kingship of this country; speculations by people who, I am sure, have never thought of the wider issues that are at stake. You cannot make a Republic in this country. You cannot make a Republic of the British Commonwealth of nations, because if you have to elect a President not only in these Islands, but all over the British Empire, who will be the ruler and representative of all these peoples, you are facing an absolutely insoluble problem. Now, you know the theory of our Constitution is that the King is not merely your King, but he is the King of all of us. He represents every part of the whole Commonwealth of nations. If his place is to be taken by anybody else, then that somebody will have to be elected by a process which, I think, will pass the wit of man to devise. Therefore let us be thankful for the mercies we have. We have a kingship here which is really not very different from a hereditary Republic, and I am sure that more and more in the future the trend will be in that direction, and I shall not be surprised to see the time when our Royal princes, instead of getting their Consorts among the princelings of Central Europe, will go to the Dominions and the outlying portions of the Empire.

I think that in the theory of the future of this great Empire it is im-

possible to attach too much importance to this institution which we have existing, and which can be developed, in my opinion, to the greatest uses possible for its future preservation and development. It will, of course, be necessary to go further than that. It is not only the symbol of unity which you have in the Royal ruler, but you will have to develop further common institutions.

Every one admits that it would be necessary to devise better machinery for common consultation than we have had hitherto. So far we have relied upon the Imperial Conference which meets every four years, and which, however useful for the work it has done hitherto, has not, in my opinion, been a complete success. It will be necessary to devise better means for achieving our ends. A certain precedent has been laid down of calling the Prime Ministers and representatives from the Empire of India to the Imperial Cabinet, and we have seen the statement made by Lord Curzon that it is the intention of the Government to perpetuate that practice in future. Although we have not yet the details of the scheme, and we have to wait for a complete exposition of the subject from his Majesty's Government, yet it is clear that in an institution like that you have a far better instrument of common consultation than you have in the old Imperial Conference, which was called only every four years, and which discussed a number of subjects which were not really of first-rate importance. After all, what you want is to call together the most important statesmen in the Empire from time to time—say once a year, or as often as may be found necessary—to discuss matters which concern all parts of the Empire in common, and in order that causes of friction and misunderstanding may be removed. A common policy should be laid down to determine the true orientation of our Imperial policy.

Take foreign policy, for instance, on which the fate of the Empire may from time to time depend. I think it is highly desirable that at least once a year the most important leaders of the Empire should be called together to discuss these matters, and to determine a common policy, which would then be carried out in detail by the various executive Governments of the commonwealth nations. This Imperial Council or Cabinet will not themselves exercise executive functions, but they will lay down the policy which will be carried out by the Governments of the various parts of the Empire. A system like that, although it looks small, must in the end lead to very important results and very great changes. You cannot settle a common policy for the whole of the British Empire without changing that policy very considerably from what it has been in the past, because the policy will have to be, for one thing, far simpler. We do not understand diplomatic finesse in other

parts of the Empire. We go by large principles, and things which can be easily understood by our undeveloped democracies. If your foreign policy is going to rest, not only on the basis of your Cabinet here, but finally on the whole of the British Empire, it will have to be a simpler and more intelligible policy, which will, I am sure, lead in the end to less friction, and the greater safety of the Empire.

Of course, no one will ever dispute the primacy of the Imperial Government in these matters. Whatever changes and developments come about, we shall always look upon the British Government as the senior partner in this concern. When this Council is not sitting, the Imperial Government will conduct the foreign affairs of the Empire. But it will always be subject to the principles and policy which have been laid down in these common conferences from time to time, and which, I think, will be a simpler and probably, in the long run, a saner and safer policy for the Empire as a whole. Naturally, it will lead to greater publicity. There is no doubt that, after the catastrophe that has overtaken Europe, nations in future will want to know more about the way their affairs are conducted. And you can understand that, once it is no longer an affair of one Government, but of a large number of Governments who are responsible ultimately to their Parliaments for the action they have taken, you may be sure there will be a great deal more publicity and discussion of foreign affairs than there has ever been.

I am sure that the after effects of a change like this, although it looks a simple change, are going to be very important, not only for this community of nations, but for the world as a whole. Far too much stress is laid upon the instruments of government. People are inclined to forget that the world is getting more democratic, and that forces which find expression in public opinion are going to be far more powerful in the future than they have been in the past. You will find that you have built up a spirit of comradeship and a common feeling of patriotism, and that the instrument of government will not be the thing that matters so much as the spirit that actuates the whole system of all its parts. That seems to me to be your mission. You talk about an Imperial mission. It seems to me this British Empire has only one mission, and that is a mission for greater liberty and freedom and self-development. Yours is the only system that has ever worked in history where a large number of nations have been living in unity. Talk about the League of Nations—you are the only league of nations that has ever existed; and if the line that I am sketching here is correct, you are going to be an even greater league of nations in the future; and if you are true to your old traditions of self-government and freedom, and to this vision of your future and your mission, who knows that you may

not exercise far greater and more beneficent influence on the history of mankind than you have ever done before?

In the welter of confusion which is probably going to follow the war in Europe, you will stand as the one system where liberty to work successfully has kept together divers communities. You may be sure the world such as will be surrounding you in the times that are coming will be very likely to follow your example. You may become the real nucleus for the world government for the future. There is no doubt that is the way things will go in the future. You have made a successful start; and if you keep on the right track, your Empire will be a solution of the whole problem.

I hope I have given no offense. When I look around this brilliant gathering, and see before me the most important men in the Government of the United Kingdom, I am rather anxious that we should discuss this matter, which concerns our future so very vitally—a matter which should never be forgotten even in this awful struggle, in which all our energies are engaged. Memories of the past keep crowding in upon me. I think of all the difficulties which have surrounded us in the past, and I am truly filled with gratitude for the reception which you have given me, and with gratitude to Time, the great and merciful judge, which has healed many wounds—and gratitude to that Divinity which "shapes our ends, rough hew them how we will." I think of the difficulties that still lie ahead of us, which are going to test all the nations fighting for liberty far more than they have ever been tested in the past, and I hope and pray that they all may have clearness of vision and purpose, and especially that strength of soul in the coming days, which will be more necessary than strength of arm. I verily believe that we are within reach of priceless and immeasurable good, not only for this United Kingdom and group of nations to which we belong, but also for the whole world. But, of course, it will depend largely upon us whether the great prize is achieved now in this struggle, or whether the world will be doomed to long, weary waiting in the future. The prize is within our grasp, if we have strength, especially the strength of soul, which I hope we shall have, to see this thing through without getting tired of waiting until victory crowns the efforts of our brave men in the field.

§ 49

THE AMERICAN COLLEGE

By Woodrow Wilson

(Delivered at a dinner in honor of the inauguration of Ernest Fox Nichols as President of Dartmouth College, October 14, 1909.)

It gives me peculiar pleasure to be the bearer of admiring congratulations to the retiring President of Dartmouth, Dr. Tucker, from the institution I represent. We have watched at Princeton the extraordinary progress of Dartmouth under his administration with a growing conception of what the character and power of a single man can do. And also it is most gratifying to me to bear messages of Godspeed to the new man who is assuming this distinguished succession.

I would prefer to believe that the honor conferred upon me to-day by the gracious vote of the Trustees of this College came to me as a representative of Princeton rather than as an individual, for I like to believe that such acts are a recognition of the community of purpose which exists among the colleges of this country, and that we are consciously trying to draw together into a single force the powers, both individual and organic, which lie in the educational institutions of America.

I have been thinking, as I sat here to-night, how little, except in coloring and superficial lines, a body of men like this differs from a body of undergraduates. You have only to look at a body of men like this long enough to see the mask of years fall off and the spirit of the younger days show forth, and the spirit which lies behind the mask is not an intellectual spirit: it is an emotional spirit.

It seems to me that the great power of the world—namely, its emotional power—is better expressed in a college gathering than in any other gathering. We speak of this as an age in which mind is monarch, but I take it for granted that, if that is true, mind is one of those modern monarchs who reign but do not govern. As a matter of fact, the world is governed in every generation by a great House of Commons made up of the passions; and we can only be careful to see to it that the handsome passions are in the majority.

A college body represents a passion, a very handsome passion, to which we should seek to give greater and greater force as the generations go by—a passion not so much individual as social, a passion for

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the things which live, for the things which enlighten, for the things which bind men together in unselfish companies. The love of men for their college is a very ennobling love, because it is a love which expresses itself in so organic a way and which delights to give as a token of its affection for its alma mater some one of those eternal, intangible gifts which are expressed only in the spirits of men.

It has been said that the college is "under fire." I prefer, inasmuch as most of the so-called criticism has come from the college men themselves, to say that the college is *on fire;* that it has ceased to be satisfied with itself, that its slumbering fires have sprung into play, and that it is now trying to see by the light of that flame what its real path is. For we criticize the college for the best of all reasons—because we love it and are not indifferent to its fortunes. We criticize it as those who would make it as nearly what we conceive it ought to be as is possible in the circumstances.

The criticism which has been leveled at our colleges by college men, by men from the inside, does not mean that the college of the present is inferior to the college of the past. No observant man can fail to see that college life is more wholesome in almost every respect in our day than it was in the days gone by. The lives of the undergraduates are cleaner, they are fuller of innocent interests, they are more shot through with the real permanent impulses of life than they once were. We are not saying that the college has degenerated in respect of its character.

What we mean I can illustrate in this way: It seems to me that we have been very much mistaken in thinking that the thing upon which our criticism should center is the athletic enthusiasm of our college undergraduates, and of our graduates, as they come back to the college contests. It is a very interesting fact to me that the game of football, for example, has ceased to be a pleasure to those who play it. Almost any frank member of a college football team will tell you that in one sense it is a punishment to play the game. He does not play it because of the physical pleasure and zest he finds in it, which is another way of saying that he does not play it spontaneously and for its own sake. He plays it for the sake of the college, and one of the things that constitutes the best evidence of what we could make of the college is the spirit in which men go into the football game, because their comrades expect them to go in and because they must advance the banner of their college at the cost of infinite sacrifice. Why does the average man play football? Because he is big, strong and active, and his comrades expect it of him. They expect him to make that use of his physical powers; they expect him to represent them in an arena of considerable dignity and of very great strategic significance.

But when we turn to the field of scholarship, all that we say to the man is, "Make the most of yourself," and the contrast makes scholarship mean as compared with football. The football is for the sake of the college and the scholarship is for the sake of the individual. When shall we get the conception that a college is a brotherhood in which every man is expected to do for the sake of the college the thing which alone can make the college a distinguished and abiding force in the history of men? When shall we bring it about that men shall be ashamed to look their fellows in the face if it is known that they have great faculties and do not use them for the glory of their alma mater, when it is known that they avoid those nights of self-denial which are necessary for intellectual mastery, deny themselves pleasure, deny themselves leisure, deny themselves every natural indulgence in order that in future years it may be said that that place served the country by increasing its power and enlightenment?

But at present what do we do to accomplish that? We very complacently separate the men who have that passion from the men who have it not—I don't mean in the classroom, but I mean in the life of the college itself.

I was confessing to President Schurman to-night that, as I looked back to my experience in the classrooms of many eminent masters, I remembered very little that I had brought away from them. The contacts of knowledge are not vital; the contacts of information are barren. If I tell you too many things that you don't know, I merely make myself hateful to you. If I am constantly in the attitude towards you of instructing you, you may regard me as a very well informed and superior person, but you have no affection for me whatever; whereas if I have the privilege of coming into your life, if I live with you and can touch you with something of the scorn that I feel for a man who does not use his faculties at their best, and can be touched by you with some keen, inspiring touch of the energy that lies in you and that I have not learned to imitate, then fire calls to fire and real life begins, the life that generates, the life that generates power, the life that generates those lasting fires of friendship which in too many college connections are lost altogether, for many college comradeships are based upon taste and not upon community of intellectual interests.

The only lasting stuff for friendship is community of conviction; the only lasting basis is that moral basis to which President Lowell has referred, in which all true intellectual life has its rootage and sustenance, and those are the rootages of character, not the rootages of knowledge. Knowledge is merely, in its uses, the evidence of character, it does not produce character. Some of the most learned of men have been among

the meanest of men, and some of the noblest of men have been illiterate, but have nevertheless shown their nobility by using such powers as they had for high purposes.

We never shall succeed in creating this organic passion, this great use of the mind, which is fundamental, until we have made real communities of our colleges and have utterly destroyed the practice of a merely formal contact, however intimate, between the teacher and the pupil. Until we live together in a common community and expose each other to the general infection, there will be no infection. You cannot make learned men of undergraduates by associating them intimately with each other, because they are too young to be learned men yet themselves; but you can create the infection of learning by associating undergraduates with men who are learned.

How much do you know of the character of the average college professor whom you have heard lecture? Of some professors, if you had known more you would have believed less of what they said; of some professors, if you had known more you would have believed more of what they said. One of the dryest lecturers on American history I ever heard in my life was also a man more learned than any other man I ever knew in American history, and out of the classroom, in conversation, one of the juiciest, most delightful, most informing, most stimulating men I ever had the pleasure of associating with. The man in the classroom was useless, out of the classroom he fertilized every mind that he touched. And most of us are really found out in the informal contacts of life. If you want to know what I know about a subject, don't set me up to make a speech about it, because I have the floor and you cannot interrupt me, and I can leave out the things I want to leave out and bring in the things I want to bring in. If you really want to know what I know, sit down and ask me questions, interrupt me, contradict me, and see how I hold my ground. Probably on some subjects you will not do it; but if you want to find me out, that is the only way. If that method were followed, the undergraduate might make many a consoling discovery of how ignorant his professor was, as well as many a stimulating discovery of how well informed he was.

The thing that it seems to me absolutely necessary we should now address ourselves to is this—forget absolutely all our troubles about what we ought to teach and ask ourselves how we ought to live in college communities, in order that the fire and infection may spread; for the only conducting media of life are the social media, and if you want to make a conducting medium you have got to compound your elements in the college,—not only ally them, not put them in mere diplomatic relations with each other, not have a formal visiting system among

them, but unite them, merge them. The teacher must live with the pupil and the pupil with the teacher, and then there will begin to be a renaissance, a new American college, and not until then. You may have the most eminent teachers and may have the best pedagogical methods, and find that, after all, your methods have been barren and your teachings futile, unless these unions of life have been accomplished.

I think that one of the saddest things that has ever happened to us is that we have studied pedagogical methods. It is as if we had deliberately gone about to make ourselves pedants. There is something offensive in the word "pedagogy." (Applause.) A certain distaste has always gone along with the word "pedagogue." A man who is an eminent teacher feels insulted if he is called a pedagogue; and yet we make a science of being a pedagogue, and in proportion as we make it a science we separate ourselves from the vital processes of life.

I suppose a great many dull men must try to teach, and if dull men have to teach, they have to teach by method that dull men can follow. But they never teach anybody anything. It is merely that the university, in order to have a large corps, must go through the motions; but the real vital processes are in spots, in such circumstances, and only in spots, and you must hope that the spots will spread. You must hope that there will enter in or go out from these little nuclei the real juices of life.

What we mean, then, by criticizing the American college is not to discredit what we are doing or have done, but to cry ourselves awake with regard to the proper processes. (Great applause.)

§ 50

THE PRESIDENT

By William Howard Taft

(Delivered on November 16, 1912, at a dinner of the Lotos Club of New York City.)

Mr. President and Gentlemen of the Lotos Club: The legend of the lotos eaters was that if they partook of the fruit of the lotos tree they

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forgot what had happened in their country and were left in a state of philosophic calm in which they had no desire to return to it.

I do not know what was in the mind of your distinguished Invitation Committee when I was asked to attend this banquet. They came to me before the election. At first I hesitated to come, lest, when the dinner came, by the election I should be shorn of interest as a guest and be changed from an active and virile participant in the day's doings of the nation to merely a dissolving view.

I knew that generally on an occasion of this sort the motive of the diners was to have a guest whose society should bring them more closely into contact with the great present and future, and not be merely a reminder of what has been. But after further consideration, I saw in the name of your club the possibility that you were not merely cold, selfish seekers after pleasures of your own; that perhaps you were organized to furnish consolation to those who mourn, oblivion to those who would forget, an opportunity for a swan song to those about to disappear.

This thought, prompted by the coming, as one of your committee, of the gentleman who knows everything in the world that has happened and is going to happen, and especially that which is going to happen, by reason of his control of the Associated Press, much diminished my confidence in the victory that was to come on election day. I concluded that it was just as well to cast an anchor to the windward and accept as much real condolence as I could gather in such a hospitable presence as this, and, therefore, my friends, I accepted your invitation and am here.

You have given the toast of "The President," and I take this toast not merely as one of respect to the office and indicative of your love of country and as typical of your loyalty, but I assume for the purposes of to-night that a discussion of the office which I have held and in which I have rejoiced and suffered will not be inappropriate.

It is said that the office of President is the most powerful in the world, because under the Constitution its occupant really can exercise more discretion than an Emperor or King exercises in any of the Governments of modern Europe.

I am not disposed to question this as a matter of reasoning from the actual power given the President in the Constitutional division of governmental functions, but I am bound to say that the consciousness of such power is rarely, if ever, present in the mind of the ordinary individual acting as President, because what chiefly stares him in the face in carrying out any plan of his is the limitation upon the power and not its extent.

Of course, there are happy individuals who are able entirely to ignore those limitations both in mind and practice, and as to them the result may be different. But to one whose training and profession are subordinate to law, the intoxication of power rapidly sobers off in the knowledge of its restrictions and under the prompt reminder of an ever-present and a not always considerate press, as well as by the kindly suggestions that not infrequently come from that hall of Congress in which impeachments are intimated and that smaller chamber in which they are tried.

In these days of progress, reform, uplift, and improvement, a man does not show himself abreast of the age unless he has some changes to suggest. It is the recommended change that marks his being up to date. It may be a change only for the sake of change, but it is responsive to a public demand, and therefore let's propose it.

It is contrary to my own love for the dear old Constitution to suggest any alteration in its terms, lest it be regarded as a reflection upon, or a criticism of, that which has been put to the sacred use for one hundred and twenty-five years of maintaining liberty regulated by law, and the guaranty of the rights by law, and the guaranty of the rights of the minority and the individual under the rule of the majority.

But yielding to the modern habit and just to show that though I am a conservative I am not a reactionary or a trilobite, I venture the suggestion that it would aid the efficiency of the executive and center his energy and attention and that of his subordinates in the latter part of his administration upon what is a purely disinterested public service if he were made ineligible after serving one term of six years either to a succeeding or a non-consecutive term.

I am a little specific in this matter, because it seems necessary to be so in order to be understood. I don't care how unambitious or modest a President is; I don't care how determined he is that he himself will not secure his renomination (and there are very few, indeed, who go to that extent), still his subordinates equally interested with him in his re-election will, whenever they have the opportunity, exert their influence and divide their time between the public service and the effort to secure their chief's renomination and reëlection.

It is difficult to prevent the whole Administration from losing a part of its effectiveness for the public good by this diversion to political effort for at least a year of the four of each administration. Were this made impossible by law, I can see no reason why the energy of the President and that of all his subordinates might not be directed rather to making a great record of efficiency in the first and only term than in seeking a second term for that purpose.

Four years is rather a short time in which to work out great governmental policies. Six years is better.

Another suggestion I would make is that legislative steps be taken, for there is nothing in the Constitution to forbid it, bringing more closely together the operation of the executive and legislative branches. The studied effort to maintain these branches rigidly separate is, I think, a mistake.

I would not add any more actual power to the Executive in legislative matters, nor would I give the legislative any more actual power in executive matters. The veto on the one hand and the confirmation of appointments and the ratification of treaties on the other I would not change. But it does seem to me that they need not be at arm's length, as they are now under our present system.

It has been proposed twice in our history, after the fullest consideration by some of the wisest statesmen we have ever had, to pass a law giving to each department head a seat in the Senate and in the House, and a right to enter into the discussion of proposed legislation in either of the national legislative bodies.

This would keep Congress much better informed as to the actual conditions in the executive departments. It would keep the department heads on the *qui vive* with reference to their knowledge of their own departments and their ability to answer appropriate questions in respect to them. It would necessitate the appointment to the Cabinet of men used to debate and to defend their positions, and it would offer an opportunity for the public to judge of the Executive and of his Government much more justly and much more quickly than under our present system.

The ignorance that Congress at times has of what is actually going on in the executive departments and the fact that hours of debate and use of pages of "The Congressional Record" might be avoided by the answer to a single question by a competent Cabinet officer on the floor of either house is frequently brought sharply to the attention of competent observers.

I think, too, it might perhaps promote the amenities between the two branches if this system were introduced. The rules of the two houses, as I am advised, forbid the use of abusive language by one member against the other house or its members. A somewhat close examination of the rules, however, of both houses does not show that there is any limitation upon the parliamentary character of the language which may be directed against the President.

As to him, the members pursue their own sweet will, and that sometimes leads them into language and epithetical description of the Chief Executive that could hardly be called complimentary. If members of

the Cabinet were allowed the floor their very presence would suggest, in the possibility of reply, moderation in discussing the Administration, which does not now at all times prevail.

The strongest reason for advocating this change, however, is that the influence that the Executive shall have in shaping legislation shall be more in harmony with the responsibility that the people hold him to in respect to it. He is the head of the party that elected him, and as such, if Congress is controlled by the same political party, as it generally is, he is looked to to shape the Congressional policy and to secure the passage of the statutes which the party platform has promised. Now, with such a burden on him, he ought to have a greater means of bringing about what he wishes in the character of the legislation to be considered by Congress, and greater powers of persuasion to secure the adoption of such legislation than those which the mere right to send messages and the mere opportunity of personal consultation with leading members of the House and Senate give him.

I doubt not that the presence of able Cabinet officers on the floor of each house would give greater harmony of plan for the conduct of public business in both houses, and would secure much more valuable legislation in accordance with party plans than we have now. On the other hand, the system would enable Congress to come closer to the Executive, and pry more effectively into each act and compel a disclosure of the reasons justifying it immediately at the time of the act, and to keep the public more quickly advised by the direct questions of hostile critics which must be answered, of the progress of business under Executive auspices.

Of course, this is not the complete English system, because it does not give to the Cabinet the power to lead and control legislative action, as the British Government may in Parliament. But it combines so much of that which is valuable, and as it can be done by a mere act of Congress, I think it ought to be tried.

One of the results of my observation in the Presidency is that the position is not a place to be enjoyed by a sensitive man. Laurence Sterne said, "The Lord tempers the wind to the shorn lamb." The experience in the Presidency toughens the hide of the occupant so as to enable him to resist the stings of criticism directed against him from the time he takes office until he lays it down.

I don't know that this evil has been any greater in this administration than in a previous administration. All I know is that it was my first experience and it seemed to me as if I had been more greatly tried than most Presidents by such methods.

The result, in some respects, is unfortunate in that after one or two

efforts to meet the unfounded accusations, despair in the matter leads to indifference and, perhaps, to an indifference toward both just and unjust criticism. This condition helps the comfort of the patient, but I doubt if it makes him a better President.

Of course, the reassuring formula that history will right one and will give one his just meed of praise is consolatory, but it is not altogether satisfactory, because the thought suggests itself that the time for remedying the injustice may be postponed until one is gathered to his fathers, and when he is not particularly interested in earthly history or mundane affairs.

I think the period for successful muckraking is gradually drawing to a close. I hope so. The evil of the cruel injustice that has been done to many public men in this regard will certainly show itself in the future, and we must consider that the ebullition in muckraking literature is only one of the temporary excesses of the times, which is curing itself by tiring those whose patronage formed the motive for its beginning and rise.

In so far as those criticisms are just, of course, they ought not to be avoided. In so far as they are based on facts, whether they are just or unjust, they must be taken at their value upon the consideration of the facts. But the query arises in respect to those criticisms and attacks that are made without the slightest reference to the facts, and merely for the purpose of invoking popular opposition and distrust, and with the hope that by constant repetition they can escape any possible refutation.

The Presidency is a great office to hold. It is a great honor, and it is surrounded with much that makes it full of pleasure and enjoyment for the occupant in spite of its heavy responsibilities and the shining mark that it presents for misrepresentation and false attack.

I consider that the President of the United States is well paid. The salary by no means measures the contribution to his means of living which the generosity of Congress has afforded, and unless it is the policy of Congress to enable him in his four years to save enough money to live in adequate dignity and comfort thereafter, then the salary is all that it ought to be.

Of course, the great and really the only lasting satisfaction that one can have in the administration of the great office of President is the thought that one has done something permanently useful to his fellow-countrymen. The mere enjoyment of the tinsel of office is ephemeral, and unless one can fix one's memory on real progress made through the exercise of Presidential power, there is little real pleasure in the con-

templation of the holding of that or any other office, however great its power or dignity or high its position in the minds of men.

I beg you to believe that in spite of the very emphatic verdict by which I leave the office, I cherish only the deepest gratitude to the American people for having given me the honor of having held the office, and I sincerely hope, in looking back over what has been done, that there is enough of progress made to warrant me in the belief that real good has been accomplished, even though I regret that it has not been greater.

My chief regret is my failure to secure from the Senate the ratification of the general arbitration treaties with France and Great Britain. I am sure they would have been great steps toward general world peace. What has actually been done I hope has helped the cause of peace, but ratification would have been a concrete and substantial step. I do not despair of ultimate success. We must hope and work on.

The sustained mental work in the Presidential office is not, I think, so great as is generally supposed. The nervous strain is greater. As it should be, the President has a great many assistants to furnish him data and actually to prepare his letters and his official communications. If he is careful, of course, he corrects and changes these enough to put his own personality into them. His time is very much taken up with social functions, state and otherwise. This is inevitable with the affairs of state, and his actual time for real hard intellectual work is limited. That part of his time which is taken up with the smaller patronage of the office, that is, I mean, the local patronage, the postmasters and collectors, is, in my judgment, wasted, and ought to be removed by putting all the local officers in the classified civil service system, so that it shall be automatic in its operation and the President may not be bothered, and the Congressmen and Senators may not be bothered with that which is supposed to aid politically, but which in the end always operates as a burden to the person upon whom its use is thrust.

I observe that the question of how receptions are to be accorded to those who have business at the White House is now under consideration, and I have been considerably amused at the suggestion that it would be possible to do the public business in the presence of everybody, so that all who are interested might draw near to the Executive Office and stand and see and hear the communications from those who enjoy appointed consultations with the head of the nation.

This matter is always the subject of consideration at the beginning of each administration, and it always settles down to an arrangement which satisfies few people, but which allows those who have the most

important business generally to have the easiest and longest access to the President. A President has just so much time to see people, and if the number of people is very great, as it always is at the beginning of an administration, the amount of time he can give to each is very limited. No matter what is done, it will be certain that somebody's toes are stepped on, and when I am asked what is the proper way of arranging receptions of people under conditions which exist, I am forced to tell the story of a gentleman who lived on Sascatchequarle Creek. He was asked how he spelled the name of the creek, and he said: "Some spells it one way and some spells it another, but in my judgment there are no correct way of spelling it."

And now, my friends, I come to the final question which is of immediate moment to me, and in respect to which I observe some discussion and comment and suggestion in the press of the day, "What are we to do with our ex-Presidents?"

I am not sure Dr. Osler's method of dealing with elderly men would not properly and usefully apply to the treatment of ex-Presidents. The proper and scientific administration of a dose of chloroform or of the fruit of the lotos tree and the reduction of the flesh of the thus quietly departed to ashes in a funeral pyre, to satisfy the wishes of the friends and families, might make a fitting end to the life of one who had held the highest office and at the same time would secure the country from the troublesome fear that the occupant could ever come back.

His record would have been made by one term and his demise in the honorable ceremony I have suggested would relieve the country from the burden of thinking how he is to support himself and his family, would fix his place in history and enable the public to pass on to new men and new measures. I commend this method for consideration.

I observe that our friend, Mr. Bryan, proposes another method of disposing of our ex-Presidents. Mr. Bryan has not exactly the experience of being a President. He has been a "near President" for three times, and possibly that qualifies him as an expert to speak of what we ought to do with our ex-Presidents. He has been very vigorous in this campaign in helping to make me an ex-President, and if I have followed with accuracy his public declarations and his private opinions, he is anxious to perform the office of making my successor an ex-President after one term.

As a Warwick and as a maker of ex-Presidents, I think we should give great and respectful consideration to his suggestion. Instead of ending the ex-Presidential life by chloroform or lotos eating, he proposes that it should expire under the anesthetic effect of the debates of the Senate. He proposes that ex-Presidents should be confined to

the business of sitting in the Senate and listening to the discussions in that body. We may assume that he proposes that the ex-Presidents shall share the burden of the Vice-President as he listens to the soliloquies which the various members of that body pour into "The Congressional Record," while the remainder of the Senators are engaged in more entertaining and less somnolent occupation.

The ex-Presidents are to have seats in the Senate and join in the discussion, but not to vote. Why Mr. Bryan should think it necessary to add to the discussion in the Senate the lucubrations of ex-Presidents, I am at a loss to say. I cannot conceive of any reform in the Senate which does not lead to a limit in their debate.

For many reasons, I object to Mr. Bryan's disposition of ex-Presidents. If I must go and disappear into oblivion, I prefer to go by the chloroform or lotos method. It is pleasanter and it's less drawn out.

But, my friends, I have occupied your time too long in my cursory remarks, the subject of which at times may have seemed too sober and grave for lotos eaters, but as the office of the Presidency is still in my keeping, and as the thought of parting with it is perhaps the most prominent one that figures in my mind, I have ventured to discuss it in accents both grave and gay. I wish to express deep gratitude to you for the honor which you have done me in making me your guest tonight, and I close with a sentiment and a toast to which I most sincerely and cordially ask your unanimous acclaim:

"Health and success to the able, distinguished and patriotic gentleman who is to be the next President of the United States."

§ 51

SPEECH AT BAR DINNER

By Oliver Wendell Holmes, Jr.

(Speech of Justice Oliver Wendell Holmes, at a banquet in his honor given by the Suffolk Bar Association, Boston, March 7, 1900, upon his elevation to the Chief Justiceship of the Supreme Judicial Court of Massachusetts.)

GENTLEMEN OF THE SUFFOLK BAR: The kindness of this reception almost unmans me, and it shakes me the more when taken with a kind

OLIVER WENDELL HOLMES, JR. Born Boston, Mass., March 8, 1841; graduated from Harvard in 1861; LL.B., in 1866; served three years as a soldier in the Civil War; admitted to the bar in 1867; Instructor in Law, Harvard College, 1870-71; Professor of Law, Harvard Law School, 1882; Associate Justice of Supreme Judicial Court at Massachusetts, 1882-1899; Chief Justice, 1889-92; Associate Justice Supreme Court of United States since December 4, 1902.

of seriousness which the moment has for me. As with a drowning man, the past is telescoped into a minute, and the stages are all here at once in my mind. The day before yesterday I was at the law school, fresh from the army, arguing cases in a little club with Goulding and Beaman and Peter Olney, and laying the dust of pleading by certain sprinklings which Huntington Jackson, another ex-soldier, and I managed to contrive together. A little later in the day, in Bob Morse's, I saw a real writ, acquired a practical conviction of the difference between assumpsit and trover, and marveled open-mouthed at the swift certainty with which a master of his business turned it off.

Yesterday I was at the law school again, in the chair instead of on the benches, when my dear partner, Shattuck, came out and told me that in one hour the Governor would submit my name to the council for a judgeship, if notified of my assent. It was a stroke of lightning which changed the whole course of my life.

And the day before yesterday, gentlemen, was thirty-five years, and yesterday was more than eighteen years, ago. I have gone on feeling young, but I have noticed that I have met fewer of the old to whom to show my deference, and recently I was startled by being told that ours is an old bench. Well, I accept the fact, although I find it hard to realize, and I ask myself, what is there to show for this half lifetime that has passed? I look into my book in which I keep a docket of the decisions of the full court which fall to me to write, and find about a thousand cases. A thousand cases, many of them upon trifling or transitory matters, to represent nearly half a lifetime! A thousand cases, when one would have liked to study to the bottom and to say his say on every question which the law ever has presented, and then to go on and invent new problems which should be the test of doctrine, and then to generalize it all and write it in continuous, logical, philosophic exposition, setting forth the whole corpus with its roots in history and its justifications of expedience, real or supposed!

Alas, gentlemen, that is life. I often imagine Shakespeare or Napoleon summing himself up and thinking: "Yes, I have written five thousand lines of solid gold, and a good deal of padding—I, who have covered the milky way with words which outshine the stars!" "Yes, I beat the Austrians in Italy and elsewhere; I made a few brilliant campaigns, and I ended in middle life in a *cul-de-sac*—I who had dreamed of a world monarchy and of Asiatic power!" We cannot live in our dreams. We are lucky enough if we can give a sample of our best, and if in our hearts we can feel that it has been nobly done.

Some changes come about in the process; changes not necessarily so much in the nature as in the emphasis of our interest. I do not

mean in our wish to make a living and to succeed—of course, we all want those things—but I mean in our ulterior intellectual or spiritual interests, in the ideal part, without which we are but snails or tigers.

One begins with a search for a general point of view. After a time he finds one, and then for a while he is absorbed in testing it, in trying to satisfy himself whether it is true. But after many experiments or investigations, all have come out one way, and his theory is confirmed and settled in his mind; he knows in advance that the next case will be but another verification, and the stimulus of anxious curiosity is gone. He realizes that his branch of knowledge only presents more illustrations of the universal principle; he sees it all as another case of the same old ennui, or the same sublime mystery—for it does not matter what epithets you apply to the whole of things, they are merely judgments of yourself. At this stage the pleasure is no less, perhaps, but it is the pure pleasure of doing the work, irrespective of further aims, and when you reach that stage you reach, as it seems to me, the triune formula of the joy, the duty and the end of life.

It was of this that Malebranche was thinking when he said that, if God held in one hand truth and in the other the pursuit of truth, he would say: "Lord, the truth is for thee alone; give me the pursuit." The joy of life is to put out one's power in some natural and useful or harmless way. There is no other. And the real misery is not to do this. The hell of the old world's literature is to be taxed beyond one's powers. This country has expressed in story—I suppose because it has experienced it in life—a deeper abyss of intellectual asphyxia or vital ennui, when powers conscious of themselves are denied their chance.

The rule of joy and the law of duty seem to me all one. I confess that altruistic and cynically selfish talk seem to me about equally unreal. With all humility, I think "Whatever thy hand findeth to do, do it with thy might," infinitely more important than the vain attempt to love one's neighbor as one's self. If you want to hit a bird on the wing, you must have all your will in a focus, you must not be thinking about yourself, and, equally, you must not be thinking about your neighbor; you must be living in your eye on that bird. Every achievement is a bird on the wing.

The joy, the duty, and, I venture to add, the end of life. I speak only of this world, of course, and of the teachings of this world. I do not seek to trench upon the province of spiritual guides. But from the point of view of the world the end of life is life. Life is action, the use of one's powers. As to use them to their height is our joy and duty, so it is the one end that justifies itself. Until lately the best thing

that I was able to think of in favor of civilization, apart from blind acceptance of the order of the universe, was that it made possible the artist, the poet, the philosopher, and the man of science. But I think that is not the greatest thing. Now I believe that the greatest thing is a matter that comes directly home to us all. When it is said that we are too much occupied with the means of living to live, I answer that the chief work of civilization is just that it makes the means of living more complex; that it calls for great and combined intellectual efforts, instead of simple, uncoördinated ones, in order that the crowd may be fed and clothed and housed and moved from place to place. Because more complex and intense intellectual efforts mean a fuller and richer life. They mean more life. Life is an end in itself, and the only question as to whether it is worth living is whether you have enough of it.

I will add but a word. We are all very near despair. The sheathing that floats us over its waves is compounded of hope, faith in the unexplainable worth and sure issue of effort, and the deep, subconscious content which comes from the exercise of our powers. In the words of a touching negro song: "sometimes I's up, sometimes I's down, sometimes I's almost to the groun'," but these thoughts have carried me, as I hope they will carry the young men who hear me, through long years of doubt, self-distrust and solitude. They do now, for, although it might seem that the day of trial was over, in fact it is renewed each day. The kindness which you have shown me makes me bold in happy moments to believe that the long and passionate struggle has not been quite in vain. (Applause.)

§ 52

THE PURITAN AND THE CAVALIER

By Henry Watterson

(Speech at the eighty-ninth anniversary banquet of the New England Society in the City of New York, December 22, 1894.)

Mr. President and Gentlemen: Eight years ago, to-night, there stood where I am standing now a young Georgian, who, not without reason, recognized the "significance" of his presence here—"the first Southerner to speak at this board"—a circumstance, let me add, not very

Henry Watterson. Born in Washington, D. C., February 16, 1840; educated principally by private tutors; staff officer Confederate Army during the Civil War; editor of the *Louisville Courier-Journal*, 1868-1919; member of Congress, 1876-1877.

creditable to any of us—and in words whose eloquence I cannot hope to recall, appealed from the New South to New England for a united country.

He was my disciple, my protégé, my friend. He came to me from the Southern schools, where he had perused the arts of oratory and letters, to get a few hints in journalism, as he said; needing so few, indeed, that, but a little later, I sent him to one of the foremost journalists of this foremost city, bearing a letter of introduction, which described him as "the greatest boy ever born in Dixie, or anywhere else."

He is gone now. But, short as his life was, its heaven-born mission was fulfilled; the dream of his childhood was realized; for he had been appointed by God to carry a message of peace on earth, good-will to men, and, this done, he vanished from the sight of mortal eyes, even as the dove from the ark.

I mean to take up the word where Grady left it off, but I shall continue the sentence with a somewhat larger confidence, and, perhaps, with a somewhat fuller meaning; because, notwithstanding the Puritan trappings, traditions, and associations which surround me—visible illustrations of the self-denying fortitude of the Puritan character and the somber simplicity of the Puritan taste and habit—I never felt less out of place in all my life.

To tell you the truth, I am afraid that I have gained access here on false pretenses; for I am no Cavalier at all; just plain Scotch-Irish; one of those Scotch-Irish Southerners who ate no fire in the green leaf and has eaten no dirt in the brown, and who, accepting, for the moment, the terms Puritan and Cavalier in the sense an effete sectionalism once sought to ascribe to them—descriptive labels at once classifying and separating North and South—verbal redoubts along that mythical line called Mason and Dixon, over which there were supposed by the extremists of other days to be no bridges—I am much disposed to say, "A plague o' both your houses!"

Each was good enough and bad enough in its way, whilst they lasted; each in its turn filled the English-speaking world with mourning; and each, if either could have resisted the infection of the soil and climate they found here, would be to-day striving at the sword's point to square life by the iron rule of Theocracy, or to round it by the dizzy whirl of a petticoat! It is very pretty to read about the Maypole in Virginia and very edifying and inspiring to celebrate the deeds of the Pilgrim Fathers. But there is not Cavalier blood enough left in the Old Dominion to produce a single crop of first families, whilst out in Nebraska and Iowa they claim that they have so stripped New England of her Puritan stock as to spare her hardly enough for farm hands. This

I do know, from personal experience, that it is impossible for the stranger-guest, sitting beneath a bower of roses in the Palmetto Club at Charleston, or by a mimic log-heap in the Algonquin Club at Boston, to tell the assembled company apart, particularly after ten o'clock in the evening! Why, in that great, final struggle between the Puritans and the Cavaliers—which we still hear sometimes casually mentioned—although it ended nearly thirty years ago, there had been such a mixing up of Puritan babies and Cavalier babies during the two or three generations preceding it, that the surviving grandmothers of the combatants could not, except for their uniforms, have picked out their own on any field of battle!

Turning to the "Cyclopedia of American Biography" I find that Webster had all the vices that are supposed to have signalized the Cavalier, and Calhoun all the virtues that are claimed for the Puritan. During twenty years three statesmen of Puritan origin were the chosen party leaders of Cavalier Mississippi: Robert J. Walker, born and reared in Pennsylvania; John A. Quitman, born and reared in New York, and Sargent S. Prentiss, born and reared in the good old State of Maine. That sturdy Puritan, John Slidell, never saw Louisiana until he was old enough to vote and to fight; native here—an alumnus of Columbia College—but sprung from New England ancestors. Albert Sidney Johnston, the most resplendent of modern Cavaliers—from tip to toe a type of the species—the very rose and expectancy of the young Confederacy—did not have a drop of Southern blood in his veins; Yankee on both sides of the house, though born in Kentucky a little while after his father and mother arrived there from Connecticut. The Ambassador who serves our Government near the French Republic was a gallant Confederate soldier and is a representative Southern statesman; but he owns the estate in Massachusetts where his father was born, and where his father's fathers lived through many generations.

And the Cavaliers, who missed their stirrups, somehow, and got into Yankee saddles? The woods were full of them. If Custer was not a Cavalier, Rupert was a Puritan. And Sherwood and Wadsworth and Kearny, and McPherson and their dashing companions and followers! The one typical Puritan soldier of the war—mark you!—was a Southern, and not a Northern, soldier; Stonewall Jackson, of the Virginia line. And, if we should care to pursue the subject farther back, what about Ethan Allen and John Stark and Mad Anthony Wayne—Cavaliers each and every one? Indeed, from Israel Putnam to "Buffalo Bill," it seems to me the Puritans have had rather the best of it in turning out Cavaliers. So the least said about the Puritan and the Cavalier—except as blessed memories or horrid examples—the better for historic accuracy.

If you wish to get at the bottom facts, I don't mind telling you—in confidence—that it was we Scotch-Irish who vanquished both of you—some of us in peace—others of us in war—supplying the missing link of adaptability—the needed ingredient of common sense—the conservative principle of creed and action, to which this generation of Americans owes its intellectual and moral emancipation from frivolity and pharisaism—its rescue from the Scarlet Woman and the mailed hand—and its crystallization into a national character and polity, ruling by force of brains and not by force of arms.

Gentlemen—Sir—I, too, have been to Boston. Strange as the admission may seem, it is true; and I live to tell the tale. I have been to Boston; and when I declare that I found there many things that suggested the Cavalier and did not suggest the Puritan, I shall not say I was sorry. But among other things, I found there a civilization perfect in its union of the art of living with the grace of life; an Americanism ideal in its simple strength. Grady told us, and told us truly, of that typical American who, in Dr. Talmage's mind's eye, was coming, but who, in Abraham Lincoln's actuality, had already come. In some recent studies into the career of that great man, I have encountered many startling confirmations of this judgment; and from that rugged trunk, drawing its sustenance from gnarled roots, interlocked with Cavalier sprays and Puritan branches deep beneath the soil, shall spring, is springing, a shapely tree—symmetric in all its parts—under whose sheltering boughs this nation shall have the new birth of freedom Lincoln promised it, and mankind the refuge which was sought by the forefathers when they fled from oppression. Thank God, the ax, the gibbet, and the stake have had their day. They have gone, let us hope, to keep company with the lost arts. It has been demonstrated that great wrongs may be redressed and great reforms be achieved without the shedding of one drop of human blood; that vengeance does not purify, but brutalizes; and that tolerance, which in private transactions is reckoned a virtue, becomes in public affairs a dogma of the most far-seeing statesmanship. Else how could this noble city have been redeemed from bondage? It was held like a castle of the Middle Ages by robber barons, who levied tribute right and left. Yet have the mounds and dykes of corruption been carried—from buttress to bell-tower the walls of crime have fallen—without a shot out of a gun, and still no fires of Smithfield to light the pathway of the victor, no bloody assizes to vindicate the justice of the cause; nor need of any.

So I appeal from the men in silken hose who danced to music made by slaves—and called it freedom—from the men in bell-crowned hats, who led Hester Prynne to her shame—and called it religion—to that

Americanism which reaches forth its arms to smite wrong with reason and truth, secure in the power of both. I appeal from the patriarchs of New England to the poets of New England; from Endicott to Lowell; from Winthrop to Longfellow; from Norton to Holmes; and I appeal in the name and by the rights of that common citizenship—of that common origin—back both of the Puritan and the Cavalier—to which all of us owe our being. Let the dead past, consecrated by the blood of its martyrs, not by its savage hatreds—darkened alike by kingcraft and priestcraft—let the dead past bury its dead. Let the present and the future ring with the song of the singers. Blessed be the lessons they teach, the laws they make. Blessed be the eye to see, the light to reveal. Blessed be Tolerance, sitting ever on the right hand of God to guide the way with loving word, as blessed be all that brings us nearer the goal of true religion, true Republicanism and true patriotism, distrust of watchwords and labels, shams and heroes, belief in our country and ourselves. It was not Cotton Mather, but John Greenleaf Whittier, who cried:

"Dear God and Father of us all,
Forgive our faith in cruel lies,
Forgive the blindness that denies.

"Cast down our idols—overturn
Our bloody altars—make us see
Thyself in Thy humanity!"

[Applause and cheers.]

§ 53

SONS AND GUESTS OF HARVARD

By Joseph H. Choate

(Speech as presiding officer at the Harvard Alumni dinner, Cambridge, Mass., June 24, 1885.)

Brethren of the Alumni: Now that you have banqueted upon these more substantial dainties which the Delmonico of Harvard has provided [laughter], I invite you to partake of the more delicate diet of tongues and sounds [laughter]—the favorite dish of every Harvard dinner—where, of course, every alumnus expects to get his deserts.

Joseph H. Choate. Born Salem, Mass., January 24, 1832; educated at Harvard; admitted to the bar in 1855; began the practice of law in New York City in 1855; Ambassador to England, 1899-1905; died May 14, 1917.

We have assembled for the two hundred and forty-ninth time to pay our vows at the shrine of our Alma Mater, to revel in the delights of mutual admiration, and to welcome to the commencement of actual life 175 new brethren that our mother has brought forth to-day. [Laughter.] Gentlemen, it is your great misfortune, that I have been called upon, on two occasions, to stand here in the place of the president of your choice, and to fill the shoes of a better man, and if I shuffle awkwardly along in them, you will remember that they are several sizes too large for me, and with higher heels than I am accustomed to wear. [Laughter.] On a former occasion, in view of the incompatibility of sentiment among high authorities [laughter], I did not what I might to stem the tide of a seemingly irrepressible conflict, and, by your counsel and aid, with apparent success. [Applause.] "Grim visaged war" did smooth "his wrinkled front" [laughter], and peace and harmony prevailed where blood had threatened.

But now, gentlemen, can I hope to fill your just expectations to-day, when you have justly counted upon the most popular of all your divines and the most fervent of all your orators, who should now be leading your council here? But Phillips Brooks, having long ago mastered all hearts at home, has gone abroad in search of new conquests. [Applause.] When last heard from he was doing well in very kindred company; for he was breakfasting with Gladstone, the statesman whose defeat is his mightiest victory [applause]; the scholar and the orator, who would exchange for no title in the royal gift the luster of his own great name. [Applause.] But, gentlemen, I have no fears for the success of this occasion, notwithstanding the absence we deplore, when I look around these tables and see who still are here. In the first place, you are all here. [Laughter and applause.] And when the sons of Harvard are all together, basking in the sunshine of each other's countenances, what need is there for the sun to shine? And, then President Eliot is here. [Applause.] I remember that sixteen years ago, we gave him his first welcome to the seat where Quincy, Everett, Sparks and Felton and Walker had sat before him; and, to-day, in your names, I may thank him that he has more than redeemed the pride and promise of the earlier days. While it cannot exactly be said that he found Harvard of brick and left it marble, it can truly be said that he found it a college and has already made it a university [applause]; and let us all hope that his faithful reign over us may continue as long as he has the strength and the courage to carry on the good work that he has in hand. And, then, the governor of the Commonwealth is here [applause], always a most honored guest among the alumni of Harvard. [Applause.] Governor Winthrop attended the first commencement in 1642; and I be-

lieve that since that time there has never been any exception to the presence of the chief magistrate.

Then, gentlemen, we are honored with the presence of the Vice-President of the United States.[1] [Applause.] And now that Harvard has assumed such national proportions, what could be more fit than that we should welcome to our board one of the chief representatives of the national government? He comes to us, gentlemen, fresh from Yale [laughter], and if we may believe the morning papers—a very large *if*, I admit—if we may believe those veracious journals, the eminent Vice-President yesterday at New Haven gave utterance to two brief and pithy sentiments, one of which we shall accept, with absolute, unqualified applause, and the other of which we must swallow, if at all, with a modification. "Yale," said he, in short and sententious words —which are the essence of great men and which we are all so fond of hearing and reporting—"Yale," said he, "is everywhere." Gentlemen, I would say with this modification: Yes, Yale is everywhere, but she always finds Harvard there before her. [Applause.] Gentlemen, the rudeness of your manner broke off my sentence. [Laughter.] She always finds Harvard there before her, or close alongside or very close in her rear; and let us hope that the boys at New London will demonstrate the truth of that to-morrow. [Applause.] The other sentiment that he uttered, gentlemen, and that needs no qualification, is that public office is a public trust. [Applause.] Gentlemen, in saying that, he stole Harvard thunder. That has been her doctrine since the days of John Adams; and I am sure that you will be perfectly delighted to hear from this eminent man that old doctrine of ours reënforced.

But, gentlemen, better than all the rest, once more at home in his old place among us again, is James Russell Lowell. [Applause. All rose for three cheers and nine "rahs."] Eight years ago, gentlemen, he left us for the public service. Men who did not know him wondered how poetry and diplomacy would work together; poetry, the science of all truth, and diplomacy that is thought sometimes to be not quite so true. Well, if you will allow me, I will explain his triumphs abroad by a wise saying of Goethe's, the fitness of which, I think, you will recognize. "Poetry," he says, "belongs not to the noble nor to the people, neither to king nor to peasant; it is the offspring of a true man." Gentlemen, it is not because of the laurels that were heaped upon him abroad, not because he commanded new honor for the American scholar and the American people, and not because his name will henceforth be a new bond of union between the two countries; but we learned to love him before he went away, because we knew that, from the beginning,

[1] Thomas Andrew Hendricks.

he had been the fearless champion of truth and of freedom, and, during every year of his absence, we have loved him the more. And so, in your names, I bid him a cordial welcome home again. [Applause.]

You will also be pleased to hear that Dr. Holmes [applause] has been inspired by this interesting feature of the occasion to mount his Pegasus once more and ride out to Cambridge upon his back; and soon you will hear him strike his lyre once more in praise of his younger brother. [Applause.] But, gentlemen, these are not all the treasures that are in store for you. Dr. James Freeman Clarke, after twenty-five years of continuous service on the Board of Overseers, from which he now retires, by the strength of the constitution, will tell you frankly what he thinks about you and about them. And then, to the class of 1835 the crowning honors of this day belong, and I am pleased to say that their chosen spokesman, although pretending to be for the moment an invalid—he wrote to me that he was no better than he should be [laughter]—he is here to speak for them. For us who have been coming up to Cambridge for the last thirty years, I would like to know what a Harvard Commencement without Judge Hoar would be? Who can forget the quips and cranks and wanton wiles with which he has beguiled many an hour that promised to be dull; and how he has, I will not say blighted, but dimmed, some of our lighter moments by words of wisdom and power. So in your name I say: "Long life and a green old age to Judge Hoar and all the members of the class of 1835."

Then, gentlemen, all these new doctors of the law: why, Harvard, returning to an ancient custom, has been graduating them out of her own sons, and to-day it may truly be said that the university has been growing rich and strong by degrees. [Laughter.] You will be glad to hear all of them speak for themselves. Of one of them, Dr. Carter, I will say, from intimate knowledge, that he leads us gallantly at the bar of New York, and all his associates rejoice in his leadership. He has recently rendered a signal service to the jurisprudence of that great State by contributing more than any other man to the defeat of a code which threatened to involve all the settled law of the community in confusion and contempt.

Well, gentlemen, as I have told you who are to speak to you, I should sit down. I believe, however, it is usual for the presiding officer to recall any startling events in the history of the college. Gentlemen, there have been none. The petition of the undergraduates for what they called a fuller civil and religious liberty, in being relieved from compulsory attendance on morning prayers, was happily denied. The answer of the overseers was well-conceived—that, in obedience to the settled rules and regulations of the college, of which that was one, they

would find an all-sufficient liberty. That idea was not original with them; they borrowed it from Mr. Lowell, when he said and sung in his sonnet upon the reformers:—

> Who yet have not the one great lesson learned
> That grows in leaves,
> Tides in the mighty seas,
> And in the stars eternally hath burned,
> That only full obedience is free.

The only other incident in the history of the year is the successful effort that has been made in digging out the history of John Harvard; and about that, the President of the college will tell you in good time—who he was, whence he came, and where he got the fortune and the library which he contributed, along with his melodious name, to the college. He gave half of all he had, gentlemen, and out of that modest fountain what vast results have flowed! May no red-handed vandal of an undergraduate ever desecrate his statue that stands at the head of the park. [Applause.] Now, brethren, would you have your statue crowned? Would you, too, become immortal? Would you identify your homes with the glory of the college? The way is open and easy. Follow exactly the example of the founder; give one equal half of all you are worth to the college, and if you wish to enjoy your own immortality, do it to-morrow, while you are alive. [Applause and laughter.] If you shrink from that, die at once and give it to them. [Laughter.] Other people, possibly, will rise up and call you blessed, whatever your own may do [laughter]; so you will relieve the President of more than half the labors of his office.

Gentlemen, I did want to say a word about another matter, the elective system, but President Eliot tells me I had better not. He says that the Board of Overseers of the college are incubating on that question, and that there is no telling what they may hatch out. Now don't let us disturb them, gentlemen; at any rate, while they are on the nest; we might crack the shell, and then the whole work would have to be done over again. And so, gentlemen, as you now seem to be in good mood, let me say one word more about this elective system. I don't care how they settle it; I hope they will give us the means of sustaining and fortifying their decision when they make it. We alumni at a distance from the college are often stung to indignation by the attacks that are made upon us by the representatives of other colleges. One would think, by the way they talk down there at Princeton, that Harvard was going to the everlasting bow-wows; that the fountains of learning were being undermined and broken up; that, as Mr. Lowell said again:—

"The Anglo-Saxondom's idee's abreakin' 'em to pieces,
An' thet idee's thet every man doos jest wut he damn pleases."

I suppose that the truth about the elective system is that the world moves on and the college moves with it. In Cotton Mather's time, when he said that the sole object of the foundation of a college was to furnish a good supply of godly ministers for the provinces, it was well enough to feed them on Latin and Greek only. Now that young men when they go out into the world have everything to do about taking part in all the activities of life, I for one say let them have the chance to learn here anything they can possibly want to learn. [Applause.] And I hope that our President will persevere in one direction, at least until he can say truly that whatever is worth learning can be taught well at Harvard. This is well expressed again in an idea of Mr. Lowell's, who always has ideas enough, if divided, to go around even among us:—

"New occasions teach new duties; Time makes ancient good uncouth;
They must upward still, and onward, who would keep abreast of truth."

Gentlemen, let me say a single word before I sit down. I hope you will be very patient with all the other speakers. I advise them, as the hour is late and the afternoon is short and there are a great many of them in number, each to put a good deal of shortening in his cake. That is a rule that never is applied to the presiding officer, and I am afraid that it never will be.

Now, gentlemen, I give you the health of President Eliot; long life to him. [Applause.]

§ 54

IRELAND

By Chauncey M. Depew

(Speech at a complimentary dinner given to Justin McCarthy by the Irish Parliamentary Fund Association at New York, October 2, 1886.)

Mr. Chairman: The first of my ancestors reached this country about 250 years ago. Many of them came afterward. [Great laughter.] The result is I am selected to stand in the presence of every nationality as one of American blood. [Renewed laughter.] One of my ancestors left Ireland over 125 years ago, and I left it three weeks ago. [Laughter

Chauncey Mitchell Depew. Born Peekskill, N. Y., April 23, 1834; graduated from Yale in 1856; Secretary of State of New York, 1863; United States Senator from New York, 1899-1911.

and applause.] He never returned, but I expect to take my seat in the strangers' gallery of the Irish Parliament. [A voice: "There will be no strangers' gallery in the Irish Parliament."] Unless I should be elected a member from County Cork. [Great laughter and applause.]

It affords me unusual pleasure to begin the festive exercises of the winter by joining in a welcome to our distinguished guest to-night. In his versatility, his marvelous capacity to move in many directions, and all acceptable to himself and his friends, he seems to me to be more than any man on the other side peculiarly an American. [Laughter.] He has impressed himself upon the American people as a literary man by possessing that facility which alone secures from them a reading. In his romances he seems to be reciting history, and his histories are romances. [Great laughter.] But we welcome him to-night, not because he has touched the chord which is responded to by every cultivated American—and every American is cultivated [laughter and applause]—but because he represents a principle with which every American agrees with him. [Applause.] In England, during the recent canvass and elections, a Tory member of Parliament said to me: "Does anybody in America take any interest in the question which Mr. Gladstone has precipitated upon us except the Irish?" I said to him: "There are no cross-roads in the United States where the question is not watched with the same eagerness with which we watch a Presidential canvass and election. There is no cross-roads hamlet, village or city in America where the Irish question is not talked about day by day, and the only difference between an ordinary Presidential election with us and this election is, that our voices and our votes are all on one side." [Long-continued applause.] "Well," he said, "that is because you are not informed." I said to him: "It is because we are educated on that question, and England proper is not." The principle of Home Rule starts from the town meeting, starts from the village caucus, starts from the ward gathering, reaches the County Supervisors, stops at the State Legislature, and delegates imperial power only to Congress. [Great applause.] The whole genius and spirit of American liberty is Home Rule in the locality where it best understands what it needs, and it is only on general matters that the general government controls. [Applause.]

With all our English-speaking race, whatever may be its origin or its commingling with other races, there is at the bottom a savage spirit, a brutal spirit, by which we seek to gain what is necessary to our power or our pelf by might, and to hold it no matter what may be the right. Under the impetus of that spirit, the English-speaking race have trodden upon rights and liberties and secured privileges until they virtually

circle and control the globe. We ourselves, in our own country, are no strangers to the spirit in the manner in which for a century we trampled upon the rights of the slave, and in the manner in which we to-day trample upon the rights of the Indian. [Applause.] But, thank God! in the evolution of the moral principle of human nature, in the enlightenment which belongs to the race of which we are so proud, in the exercise and in the power of the Church within and without, there has grown up in our race a conscience to which an appeal can be successfully made. [Applause.] It is the appeal to that conscience which came within seventy-five thousand votes of carrying the election for Home Rule in Ireland. The middle-class Englishman, whatever may be the prejudices against him in Ireland and in this country, is a hard-hearted, but conscientious, moral, and family-loving man. [Applause.] All he needs is to be educated to a realization of what is right and what is wrong, and he will rise to the emergency. [Applause.] He had followed Gladstone for a quarter of a century, and when Gladstone said this is the right road, believing it not to be the right, he followed Gladstone. [Applause.] When Gladstone and those who are behind him have educated him, within two years from to-night he will turn around and say to the Tory government, to Union-Liberal government, to Liberal government, to Radical government: "Justice to Ireland, or you cannot stay in power." [Great applause.]

Now, I thought I would talk to these people. The Yankee doesn't amount to much unless he asks questions—and I am a Yankee—that is, an Irish Yankee. I said to a Tory of some note: "Why do you oppose Mr. Gladstone's bill?" "Why," said he, "because it would confiscate, by the Irish Parliament, every bit of property there is in Ireland, and the Protestant minority would be crushed out and driven from the face of the earth." I said to the Union-Liberal: "Why do you oppose Home Rule?" He said: "Because it would lead to the disruption of the British Empire—the same question you had to contend with in America." I said to the English manufacturer: "Why don't you help Ireland by taking over your capital and developing her capacities?" He said: "Because the beggars won't work." I said to the English squire, who is alive to-day, but who is simply the mummied representative of his ancestors of the fourteenth century: "Why are you opposed to Gladstone and Home Rule for Ireland?" "Why," said he, "because the Irish are children and must have a firm hand to govern them."

Well, gentlemen, all those questions are answered successfully either in America or Ireland to-day. The fact that among the noblest, the most brilliant, the most magnificent contributions to the forces of human

liberty, not only in Ireland but in the world, which have been given in the last century, have come from the Protestant minority in Ireland, answers the question of Irish bigotry. Through that ancestor who left Ireland a hundred and twenty-five years ago, I come from that same Presbyterian stock which is represented to-day by Parnell, and which dared to take its chances with Home Rule among its fellow-citizens. What have the Irishmen in this country done? Whenever they are freed from the distressing and oppressing influences which have borne them down for centuries in their country, they do work. They have built our great public works; they have constructed our vast system of railways; they have done more than that; they have risen to places of power and eminence in every walk of industry and in every avenue which is open to brains and to pluck. The only complaint we have against them is, that they show too much genius for government and get all the offices. I have some ambitions myself, and I am for Home Rule in Ireland, because I want these fellows to go back to give me a chance.

I read in one of the leading papers this morning—I shall not state which for fear of exciting an irruption here on this platform, but it was the leading paper—that the Prime Minister of Austria [Count Taaffe], who was a member of the Irish Peerage, under some name which I now forget, had been engaged through his agent in evicting some hundreds of his tenants. It seemed to me to preach the most pregnant lesson of Irish difficulty and Irish relief. The Prime Minister of Austria, as all the world knows, is a man of preëminent ability, of extraordinary power in the management of international questions, of profound and magnificent patriotism—to Austria. But engrossed as he is in the great question of how the peace of Europe is to be preserved with the position of Russia on one hand and Germany on the other, how is he to perform his part as an Irish citizen toward the people who are dependent upon him for support or encouragement, for that sympathy which should flow between him who holds the land and him who tills it for a price? The world has come to recognize that property has its obligations as well as labor. The world has come to recognize that he who has, if he would enjoy, must reciprocate with those who have not, and with those who are dependent upon him. But as all wealth springs from the earth, and as all national prosperity comes from the soil, if there is in any country—as thank God there is not in ours—a system by which the tenant's title goes down from generation to generation, unless the lord is there in his castle, so that between the castle and the cottage there is an indissoluble tie, in sickness and in health, in poverty and prosperity, each sympathizing with the other's woes, each sharing the other's joys—he has no place in that land, and

the law should say to him, not: "We will strip you of your possessions without price;" but "with a price that is fair, we will give them to the tillers of the soil."

I was the other day—three weeks ago—in an Irish city; and as I was passing along the street, I saw on the lintel of a door the emblems of mourning. There came out two solemn-looking persons whom I judged from their conversation to be the doctor and his assistant. They walked along seeming to feel very bad over the misfortune that had befallen the family or the falling off of their revenues, but when they reached the opposite corner of the street, they turned, and one said to the other: "Mr. O'Flyn, we did the best we could." "Yes," says he, "Mr. O'Brien, and it was a melancholy pleasure." Now I have attended a great many funerals in my life; and I expect to attend a great many more; and there are many obsequies to which I go which afford me a melancholy pleasure. I feel melancholy in outward aspect out of respect to my surroundings, and have great pleasure in the event; and the funeral of the passion and the prejudice of England, which for ages have cursed Ireland, I shall attend with a melancholy pleasure.

The difficulty about Ireland and the United States is, that while the Americans have talked—as we all have to talk upon the stump and platform, some of us for votes, and some of us because we feel it, about the rights and wrongs of Ireland—the difficulty with us has always been that we did not know what Irishmen wanted. We have reached an age when sentiment is gone. We are no longer a sentimental people. We have come to a period when passion can no longer be torn to tatters, unless there is a foundation for the cloth. When we believe a people to be suffering from tyranny and injustice, then we can be full of sentiment in our sympathies, and intensely practical in our assistance. In the divided councils of the past we could not learn what the Irish wanted for Ireland, but the full lesson has been taught us by the same great leader who has consolidated the opinions and the purposes of his countrymen—Charles Stewart Parnell.

I doubt if the justice and strength of Mr. Parnell's position would have been so thoroughly understood, and so unanimously approved, by the American people, except for the conversion and resistless advocacy of an English statesman who has for years held the first place in our admiration and respect. Americans recognize genius everywhere, and neither race nor nationality is a barrier to their appreciation and applause. Beyond all other men in the Old World, one Englishman of supreme ability, of marvelous eloquence, and varied acquirements, has fired their imaginations and enthusiasm—William E. Gladstone.

During the fifty years he has been in public life, there have been other

English statesmen as accomplished and eminent in many departments of activity and thought; many whose home and foreign policies have received equal, if not greater, approval from their contemporaries; two hundred years from now none of them will be remembered but Gladstone. His fame will rest upon the great achievement of having saved the Empire he loved from a policy based upon ignorance and prejudice which would have destroyed it, and the greater triumph of having liberated a noble people, for centuries oppressed, who will forever keep his name alive with their gratitude.

§ 55

THE TYPICAL DUTCHMAN

By Henry Van Dyke

(Speech at the fifth annual banquet of the Holland Society of New York, January 10, 1890.)

Mr. President and Members of the Holland Society: Who is the typical Dutchman? Rembrandt, the splendid artist; Erasmus, the brilliant scholar; Coster, the inventor of printing; Leuwenhoek, the profound scientist; Grotius, the great lawyer; Barendz, the daring explorer; De Witt, the skilful statesman; Van Tromp, the trump of admirals; William the Silent, heroic defender of liberty against a world of tyranny; William III., the emancipator of England, whose firm, peaceful hand, just two centuries ago, set the Anglo-Saxon race free to fulfil its mighty destiny—what hero, artist, philosopher, discoverer, lawgiver, admiral, general or monarch shall we choose from the long list of Holland's illustrious dead to stand as the typical Dutchman?

Nay, not one of these men, famous as they were, can fill the pedestal of honor to-night. For though their glorious achievements have lent an undying luster to the name of Holland, the qualities that really created her and made her great, lifted her in triumph from the sullen sea, massed her inhabitants like a living bulwark against oppression, filled her cities with the light of learning and her homes with the arts of peace, covered the ocean with her ships and the islands with her colonies —the qualities that made Holland great were the qualities of the com-

Henry Van Dyke. Born Germantown, Pa., November 10, 1852; graduated from Princeton in 1873; Princeton Theological Seminary, 1877; ordained Presbyterian minister, 1879; pastor United Congregational Church, Newport, R. I., 1879-82; and the Brick Presbyterian Church, New York, 1883-1900; Professor of English Literature, Princeton University, since 1900; United States Minister to the Netherlands, 1913-1917.

mon people. The ideal character of the Dutch race is not an exceptional genius, but a plain, brave, straightforward, kind-hearted, liberty-loving, law-abiding citizen—a man with a healthy conscience, a good digestion, and a cheerful determination to do his duty in the sphere of life to which God has called him. [Applause.] Let me try to etch the portrait of such a man in few and simple lines. Grant me but six strokes for the picture.

The typical Dutchman is an honest man, and that's the noblest work of God. Physically he may be—and if he attends these dinners he probably will be—more or less round. But morally he must be square. And surely in this age of sham, when there is so much plated ware that passes itself off for solid silver, and so much work done at half measure and charged at full price—so many doctors who buy diplomas, and lawyers whose names should be "Necessity," because they know no law [laughter and applause], and preachers who insist on keeping in their creeds doctrines which they do not profess to believe—surely in this age, in which skyrockets are so plentiful and well-seasoned firewood is so scarce, the man who is most needed is not the genius, the discoverer, the brilliant sayer of new things, but simply the honest man, who speaks the truth, pays his debts, does his work thoroughly, and is satisfied with what he has earned. [Applause.]

The typical Dutchman is a free man. Liberty is his passion; and has been since the days of Leyden and Alkmaar. It runs in the blood. A descendant of the old Batavian who fought against Rome is bound to be free at any cost: he hates tyranny in every form. [Applause.]

> "I honor the man who is ready to sink
> Half his present repute for the freedom to think;
> And when he has thought, be his cause strong or weak,
> Will sink t'other half for the freedom to speak,
> Caring naught for what vengeance the mob has in store,
> Let that mob be the upper ten thousand, or lower." [1]

That is the spirit of the typical Dutchman. Never has it been more needed than it is to-day; to guard our land against the oppression of the plutocrat on the one hand, and the demagogue on the other hand; to prevent a government of the parties by the bosses for the spoils, and to preserve a government of the people, by the people, for the people. [Renewed applause.]

The typical Dutchman is a prudent man. He will be free to choose for himself; but he generally chooses to do nothing rash. He does not admire those movements which are like the Chinaman's description of

[1] James Russell Lowell.

the toboggan-slide, "Whiz! Walk a mile!" He prefers a one-story ground-rent to a twelve-story mortgage with an elevator. [Laughter.] He has a constitutional aversion to unnecessary risks. In society, in philosophy, in commerce, he sticks to the old way until he knows that the new one is better. On the train of progress he usually sits in the middle car, sometimes in the smoker, but never on the cow-catcher. [Laughter.] And yet he arrives at his destination all the same. [Renewed laughter.]

The typical Dutchman is a devout man. He could not respect himself if he did not reverence God. [Applause.] Religion was at the center of Holland's most glorious life, and it is impossible to understand the sturdy heroism and cheerful industry of our Dutch forefathers without remembering that whether they ate or drank or labored or prayed or fought or sailed or farmed, they did all to the glory of God. [Applause.] The only difference between New Amsterdam and New England was this: The Puritans founded a religious community with commercial principles; the Dutchman founded a commercial community with religious principles. [Laughter.] Which was the better I do not say; but everyone knows which was the happier to live in.

The typical Dutchman is a liberal man. He believes, but he does not persecute. He says, in the immortal words of William III., "Conscience is God's province." So it came to pass that New Amsterdam became an asylum for the oppressed in the New World, as Old Amsterdam had been in the Old World. No witches burned; no Quakers flogged; peace and fair chances for everybody; love God as much as you can, and don't forget to love your neighbor as yourself. How excellent the character in which piety and charity are joined! While I have been speaking you have been thinking of one who showed us the harmony of such a character in his living presence—Judge Hooper C. Van Vorst, the first President of the Holland Society—an honest lawyer, an upright judge, a prudent counselor, a sincere Christian, a genial companion. While such a man lives his fellowship is a blessing, and when he dies his memory is sacred. [Applause.]

But one more stroke remains to be added to the picture. The typical Dutchman is a man of few words. Perhaps I ought to say *he was:* for in this talkative age, even in The Holland Society, a degenerate speaker will forget himself so far as not to keep silence when he talks about the typical Dutchman. [Laughter.] But those old companions who came to this country previous to the year 1675, as Dutch citizens, under the Dutch flag, and holding their tongues in the Dutch language,—ah, they understood their business. Their motto was *facta non verba.* They are the men we praise to-night in our:—

SONG OF THE TYPICAL DUTCHMAN.

They sailed from the shores of the Zuider Zee
  Across the stormy ocean,
To build for the world a new country
  According to their notion;
A land where thought should be free as air,
  And speech be free as water;
Where man to man should be just and fair,
  And Law be Liberty's daughter.
    They were brave and kind,
    And of simple mind,
And the world has need of such men;
    So we say with pride,
    (On the father's side),
That they were typical Dutchmen.

They bought their land in an honest way,
  For the red man was their neighbor;
They farmed it well, and made it pay
  By the increment of labor.
They ate their bread in the sweat o' their brow,
  And smoked their pipes at leisure;
For they said then, as we say now,
  That the fruit of toil is pleasure.
    When their work was done,
    They had their fun,
And the world has need of such men;
    So we say with pride,
    (On the father's side),
That they were typical Dutchmen.

They held their faith without offense,
  And said their prayers on Sunday;
But they never could see a bit of sense
  In burning a witch on Monday.
They loved their God with a love so true,
  And with a head so level,
That they could afford to love men too,
  And not be afraid of the devil.
    They kept their creed
    In word and deed,
And the world has need of such men;
    So we say with pride,
    (On the father's side),
That they were typical Dutchmen.

When the English fleet sailed up the bay,
The small Dutch town was taken;
But the Dutchmen there had come to stay,
Their hold was never shaken.
They could keep right on, and work and wait
For the freedom of the nation;
And we claim to-day that New York State
Is built on a Dutch foundation.
They were solid and strong,
They have lasted long,
And the world has need of such men;
So we say with pride,
(On the father's side),
That they were typical Dutchmen.

[Great applause.]

§ 56

A "LITTERY" EPISODE

By Samuel L. Clemens

(Speech at the "Whittier Birthday Dinner," at the Hotel Brunswick, Boston, Mass., December 17, 1877, given by the publishers of the *Atlantic Monthly*, in celebration of the seventieth anniversary of John Greenleaf Whittier's birthday, and the twentieth anniversary of the founding of the magazine. Emerson, Longfellow, and Holmes were present.)

MR. CHAIRMAN: This is an occasion peculiarly meet for the digging up of pleasant reminiscences concerning literary folk; therefore, I will drop lightly into history myself. Standing here on the shore of the "Atlantic," and contemplating certain of the biggest literary billows, I am reminded of a thing which happened to me fifteen years ago, when I had just succeeded in stirring up a little Nevadian literary ocean-puddle myself, whose spume-flakes were beginning to blow thinly California-wards. I started on an inspection tramp through the southern mines of California. I was callow and conceited, and I resolved to try the virtue of my *nom de plume*. I very soon had an opportunity. I knocked at a miner's lonely log-cabin in the foothills of the Sierras, just at nightfall. It was snowing at the time. A jaded, melancholy man of fifty, barefooted, opened to me. When he heard my *nom de plume*

SAMUEL L. CLEMENS (MARK TWAIN). Born in Florida, Mo., November 30, 1835; apprentice to a printer at the age of 13; later a pilot on the Mississippi River; worked as a journalist in many places; settled in Hartford in 1884 as an author and publisher; died April 21, 1910.

he looked more dejected than before. He let me in pretty reluctantly, I thought,—and after the customary bacon and beans, black coffee, and a hot whiskey, I took a pipe. This sorrowful man had not said three words up to this time. Now he spoke up and said, in the voice of one who is secretly suffering. "You're the fourth—I'm a-going to move." "The fourth what?" said I. "The fourth littery man that's been here in twenty-four hours—I'm a-going to move." "You don't tell me!" I said. "Who were the others?" "Mr. Longfellow, Mr. Emerson, and Mr. Oliver Wendell Holmes—dad fetch the lot!" [Laughter.]

You can easily believe I was interested. I supplicated—three hot whiskeys did the rest—and finally the melancholy miner began. Said he: "They came here just at dark yesterday evening, and I let them in, of course. Said they were going to Yosemite. They were a rough lot—but that's nothing—everybody looks rough that travels afoot. Mr. Emerson was a seedy little bit of chap—red-headed. Mr. Holmes was as fat as a balloon—he weighed as much as three hundred, and had double chins all the way down to his stomach. Mr. Longfellow was built like a prize fighter. His head was cropped and bristly—like as if he had a wig made of hair-brushes. His nose lay straight down his face, like a finger with the end-joint tilted up. They had been drinking—I could see that. And what queer talk they used! Mr. Holmes inspected this cabin, then he took me by the buttonhole, and says he:—

'Through the deep caves of thought
I hear a voice that sings:
Build thee more stately mansions, O my soul!'

[Laughter.]

Says I, 'I can't afford it, Mr. Holmes, and, moreover, I don't want to.' Blamed if I liked it pretty well, either, coming from a stranger, that way. However, I started to git out my bacon and beans, when Mr. Emerson came and looked on awhile, and then *he* takes me aside by the buttonhole and says:—

'Give me agates for my meat;
Give me cantharids to eat;
From air and ocean bring me foods,
From all zones and altitudes.'

[Laughter.]

Says I, 'Mr. Emerson, if you'll excuse me, this ain't no hotel.' [Renewed laughter.] You see it sort of riled me,—I wasn't used to the ways of littery swells. But I went on a-sweating over my work, and next

comes Mr. Longfellow and buttonholes me, and interrupts me. Says he:—

'Honor be to Mudjikeewis!
You shall hear how Paw-Puk-Keewis'—

But I broke in, and says I, 'Begging your pardon, Mr. Longfellow, if you'll be so kind as to hold your yawp for about five minutes and let me get this grub ready, you'll do me proud.' [Continued laughter.] Well, sir, after they'd filled up I set out the jug. Mr. Holmes looks at it, and then fires up all of a sudden, and yells:—

'Flash out a stream of blood-red wine!
For I would drink to other days.'

[Great merriment.]

By George, I was getting kind o' worked up. I don't deny it, I was getting kind o' worked up. I turns to Mr. Holmes, and, says I, 'Looky here, my fat friend, I'm a-running this shanty, and if the court knows herself, you'll take whiskey-straight, or you'll go dry.' [Laughter.] Them's the very words I said to him. Now I didn't want to sass such famous littery people, but you see they kind o' forced me. There ain't nothing onreasonable 'bout me; I don't mind a passel of guests a-tread'n on my tail three or four times, but when it comes to *standin'* on it, it's different, and if the court knows herself, you'll take whiskey-straight, or you'll go dry.' Well, between drinks, they'd swell around the cabin and strike attitudes and spout. [Laughter.] Says Mr. Longfellow:—

'This is the forest primeval.'

Says Mr. Emerson:—

'Here once the embattled farmers stood,
And fired the shot heard round the world.'

Says I: 'Oh, blackguard the premises as much as you want to—it don't cost you a cent.' [Laughter.] Well, they went on drinking, and pretty soon they got out a greasy old deck and went to playing cut-throat euchre at ten cents a corner—on trust. I begun to notice some pretty suspicious things. Mr. Emerson dealt, looked at his hand, shook his head, says:—

'I am the doubter and the doubt'

—and calmly bunched the hands and went to shuffling for a new lay out. Says he:—

'They reckon ill who leave me out;
They know not well the subtle ways
I keep, I pass, and deal *again!*'

[Laughter.]

Hang'd if he didn't go ahead, and do it, too! O, he was a cool one! Well, in about a minute, things were running pretty tight, but of a sudden I see by Mr. Emerson's eye that he judged he had 'em. He had already corralled two tricks, and each of the others one. So now he kind o' lifts a little in his chair, and says:—

'I tire of globes and aces!
Too long the game is played!'

—and down he fetched a right bower. Mr. Longfellow smiles as sweet as pie, and says:—

'Thanks, thanks to thee, my worthy friend,
For the lesson thou hast taught.'

—and dog my cats if he didn't down with another right bower! Well, sir, up jumps Holmes, a-war-whooping as usual, and says:—

'God help them if the tempest swings
The pine against the palm!'

—and I wish I may go to grass if he didn't swoop down with another right bower! [Great laughter.] Emerson claps his hand on his bowie, Longfellow claps his on his revolver, and I went under a bunk. There was going to be trouble; but that monstrous Holmes rose up, wobbling his double chins, and says he: 'Order, gentlemen! The first man that draws, I'll lay down on him and smother him!' [Laughter.] All quiet on the Potomac, you bet you!

"They were pretty how-come-you-so now, and they begun to blow. Emerson says, 'The bulliest thing I ever wrote was "Barbara Frietchie."' Says Longfellow, 'It don't begin with my "Biglow Papers."' Says Holmes, 'My "Thanatopsis" lays over 'em both.' [Laughter.] They mighty near ended in a fight. Then they wished they had some more company, and Mr. Emerson pointed at me and says:—

'Is yonder squalid peasant all
That this proud nursery could breed?'

[Laughter.]

He was a-whetting his bowie on his boot—so I let it pass. [Laughter.] Well, sir, next they took it into their heads that they would like some

music; so they made me stand up and sing 'When Johnny Comes Marching Home', till I dropped—at thirteen minutes past four this morning. That's what *I've* been through, my friend. When I woke at seven they were leaving, thank goodness, and Mr. Longfellow had my only boots on, and his own under his arm. Says I, 'Hold on there, Evangeline, what you going to do with *them?*' He says, 'Going to make tracks with 'em, because—

'Lives of great men all remind us
We can make our lives sublime;
And departing, leave behind us
Footprints on the sands of time.'

[Laughter.]

"As I said, Mr. Twain, you are the fourth in twenty-four hours—and I'm going to move—I ain't suited to a littery atmosphere."

I said to the miner, "Why, my dear sir, *these* were not the gracious singers to whom we and the world pay loving reverence and homage; these were impostors."

The miner investigated me with a calm eye for a while, then said he, "Ah! impostors, were they? are *you?*" I did not pursue the subject; and since then I haven't traveled on my *nom de plume* enough to hurt.

Such was the reminiscence I was moved to contribute, Mr. Chairman. In my enthusiasm I may have exaggerated the details a little; but you will easily forgive me that fault, since I believe it is the first time I have ever deflected from perpendicular fact on an occasion like this. [Laughter and applause.]

§ 57

SMASHED CROCKERY

By St. Clair McKelway

(Speech before the National Society of China Importers, New York City, February 6, 1896.)

Mr. Chairman and Friends: The china I buy abroad is marked "Fragile" in shipment. That which I buy at home is marked: "Glass—This Side Up With Care." The foreign word of caution is fact. The

St. Clair McKellway. Born, Columbia, Mo., March 15, 1845; educated by private teachers; admitted to the New York bar, 1866, but never practiced law; journalist on the *New York Tribune* and the *New York World;* associate editor of the *Brooklyn Eagle,* 1870-1878; editor of *The Albany Argus,* 1878-1885; editor of the *Brooklyn Eagle,* 1885-1915; elected regent for life of the University of the State of New York, 1883; died, 1915.

American note of warning is fiction—with a moral motive. The common purpose of both is protection from freight fractors and baggage smashers. The European appeals to knowledge. The American addresses the imagination. The one expresses the truth. The other extends it. Neither is entirely successful. The skill and care of shippers cannot always victoriously cope with the innate destructiveness of fallen human nature. There is a great deal of smashed crockery in the world.

You who are masters in the art of packing things and we whose vocation is the art of putting things, both have reason to know that no pains of placing or of preparation will guarantee freight or phrases, plates or propositions, china of any kind or principles of any sort, from the dangers of travel or from the tests of time. Your goods and our wares have to take their chances in their way across the seas, throughout the land and around the world. You lose some of yours merely in handling. The defects of firing cannot be always foreseen. The intrusion of inferior clay cannot be always prevented. The mere friction of contact may produce bad nicks. Nor is the fineness nor the excellence of the product an insurance against mishaps. From your factories or stores your output is at the mercy of carriers without compunction, and in our homes it is exposed to the heavy hands of servants without sentiment. The pleasure of many a dinner is impaired by the fear or the consciousness that inapt peasants are playing havoc with the treasures of art on which the courses are served.

If, however, the ceramic kingdom is strewn with smashed crockery, how much more so are the worlds of theology, medicine, politics, society, law, and the like. No finer piece of plate was ever put forth than the one inscribed: "I will believe only what I know." It was for years agreeable to the pride and vanity of the race. It made many a fool feel as if his forehead was lifted as high as the heavens, and that at every step he knocked out a star. When, however, the discovery was made that this assumption to displace deity amounted to a failure to comprehend nature, some disappointment was admitted. He who affected by searching to find out and to equal God could not explain the power by which a tree pumps its sap from roots to leaves, or why a baby rabbit rejects the grasses that would harm it, or why a puling infant divines its mother among the motley and multitudinous mass of sibilant saints at a sewing society which is discussing the last wedding and the next divorce. He "who admits only what he understands" would have to look on himself as a conundrum and then give the conundrum up. He would have the longest doubts and the shortest creed on record. Agnosticism is part of the smashed crockery of the moral universe.

Nor is the smug and confident contention: "Medicine is a science, one and indivisible," so impressive and undented as it was. Sir Astley Cooper in his plain, blunt way is reported to have described his own idea of his own calling as "a science founded on conjecture and improved by murder." The State of New York has rudely stepped in and legally and irrevocably recognized three schools of medicine and will recognize a fourth or a fifth as soon as it establishes itself by a sufficient number of cures or in a sufficient number of cemeteries. Medical intolerance cannot be legislated out of existence, but it has no further recognition in legislation. A common and considerable degree of general learning is by the State required of all intending students of medicine. An equal and extended degree of professional study is required. An identical measure of final examination with state certification and state licensure is required. The claim that men and women must die *secundum artem* in order to have any permit to live here or to live hereafter, has gone to the limbo of smashed crockery in the realm of therapeutics. The arrogant pretension that men must die *secundum artem* has been adjourned—*sine die*. And the State which prescribes uniform qualifications among the schools will yet require uniform consultations between them in the interest of the people whom they impartially prod and concurrently purge with diversity of methods, but with parity of price.

Other long impressive and long pretty plaques have also been incontinently smashed. One was lovingly lettered: "Once a Democrat, always a Democrat." Another was inscribed: "Unconditional Republicanism." In the white light of to-day the truth that an invariable partizan is an occasional lunatic becomes impressively apparent. Party under increasing civilization is a factor, not a fetish. It is a means, not an end. It is an instrument, not an idol. Man is its master, not its slave. Not that men will cease to act on party lines. Party lines are the true divisional boundary between schools of thought. No commission is needed to discover or to establish those lines. They have made their own route or course in human nature. The bondage from which men will free themselves is bondage to party organizations. Those organizations are combinations for power and spoils. They are feudal in their form, predatory in their spirit, military in their methods, but they necessarily bear no more relation to political principles than Italian banditti do to Italian unity, or the men who hold up railway trains do to the laws of transportation. Party slavery is a bad and disappearing form of smashed crockery.

The smashed crockery of society and of law could also be remarked. Our fathers' dictum, that it is the only duty of women to be charming, deserves to be sent into retirement. It is no more their duty to be

charming than it is the duty of the sun to light, or the rose to perfume, or the trees to cast a friendly shade. A function is not a duty. In the right sense of the word it is a nature or a habit. It is the property of women and it is their prerogative to be charming, but if they made it a duty, the effort would fail, for the intention would be apparent and the end would impeach the means. Indeed, the whole theory of the eighteenth century about women has gone to the limbo of smashed crockery. It has been found that education does not hurt her. It has been discovered that learning strengthens her like a tonic and becomes her like a decoration. It has been discovered that she can compete with men in the domain of lighter labor, in several of the professions, and in not a few of the useful arts. The impression of her as a pawn, a property or a plaything, came down from paganism to Christianity and was too long retained by the Christian world. There is even danger of excess in the liberality now extended to her. The toast, "Woman, Once Our Superior and Now Our Equal," is not without satire as well as significance. There must be a measurable reaction against the ultra tendency in progress which has evolved the New Woman, as the phrase is. I never met one and I hope I never shall. The women of the present, the girls of the period, the sex up-to-date, will more than suffice to double our joys and to treble our expenses. The new fads, as well as the old fallacies, can be thrown among the smashed crockery of demolished and discarded misconceptions.

I intended to say much about the smashed crockery of the lawyers. I intended to touch upon the exploded claim that clients are their slaves, witnesses theirs for vivisection, courts their playthings, and juries their dupes. More mummery has thrived in law than in even medicine or theology. The disenchanting and discriminating tendency of a realistic age has, however, somewhat reformed the bar. Fluency, without force, is discounted in our courts. The merely smart practitioner finds his measure quickly taken and that the conscientious members of his calling hold him at arm's length. Judges are learning that they are not rated wise when they are obscure, or profound when they are stupid, or mysterious when they are reserved. Publicity is abating many of the abuses both of the bench and the bar. It will before long, even in this judicial department, require both rich and poor to stand equal before the bar of justice. The conjugal complications of plutocrats will not be sealed up from general view by sycophantic magistrates, while the matrimonial infelicities of the less well-to-do are spread broad on the records. The still continuing scandals of partitioning refereeships among the family relatives of judges will soon be stopped and the shame and scandal of damage suits or of libel suits, without cause, maintained by

procured and false testimony and conducted on sheer speculation, will be brought to an end. The law is full of rare crockery, but it is also replete with crockery that ought to be smashed. Much bad crockery in it has been smashed and much more will be, if necessary, by the press, which is itself not without considerable ceramic material that could be pulverized with signal benefit to the public and to the fourth estate.

But why am I talking about smashed crockery when I am told that it is the very life of your trade? Were crockery imperishable this would be the last dinner of your association. Your members would be eating cold victuals at area doors, passed to you on the plates you have made, by the domestics whose free and easy carelessness is really the foundation of your fortunes. You want crockery to be smashed, because the more smash the more crockery and the more crockery the more output, and the more output the more revenue, and the more revenue the more Waldorf dinners, and the more Waldorf dinners the more opportunity for you to make the men of other callings stand and deliver those speeches, which I like to hear, and in the hope of hearing which I now give way.

§ 58

WOMAN

By Horace Porter

(Speech at the seventy-eighth annual dinner of the New England Society in the City of New York, December 22, 1883.)

Mr. President and Gentlemen: When this toast was proposed to me, I insisted that it ought to be responded to by a bachelor, by someone who is known as a ladies' man; but in these days of female proprietorship it is supposed that a married person is more essentially a ladies' man than anybody else, and it was thought that only one who had had the courage to address a lady could have the courage, under these circumstances, to address the New England Society. [Laughter.]

The toast, I see, is not in its usual order to-night. At public dinners this toast is habitually placed last on the list. It seems to be a benevolent provision of the Committee on Toasts in order to give man in replying to Woman one chance at least in life of having the last word. [Laughter.]

Horace Porter. Born in Huntington, Pa., April 15, 1837; graduated from West Point, 1860; served through the Civil War, advancing from Captain to Brigadier-General; Secretary to Grant during the latter's first Presidential term; United States Ambassador to France, 1897-1905.

At the New England dinners, unfortunately the most fruitful subject of remark regarding woman is not so much her appearance as her disappearance. I know that this was remedied a few years ago, when this grand annual gastronomic high carnival was held in the Metropolitan Concert Hall. There ladies were introduced into the galleries to grace the scene by their presence; and I am sure the experiment was sufficiently encouraging to warrant repetition, for it was beautiful to see the descendants of the Pilgrims sitting with eyes upturned in true Puritanic sanctity; it was encouraging to see the sons of those pious sires devoting themselves, at least for one night, to setting their affections upon "things above." [Applause and laughter.]

Woman's first home was in the Garden of Eden. There man first married woman. Strange that the incident should have suggested to Milton the "Paradise Lost." [Laughter.] Man was placed in a profound sleep, a rib was taken from his side, a woman was created from it, and she became his wife. Evil-minded persons constantly tell us that thus man's first sleep became his last repose. But if woman be given at times to that contrariety of thought and perversity of mind which sometimes passeth our understanding, it must be recollected in her favor that she was created out of the crookedest part of man. [Laughter.]

The Rabbins have a different theory regarding creation. They go back to the time when we were all monkeys. They insist that man was originally created with a kind of Darwinian tail, and that in the process of evolution this caudal appendage was removed and created into woman. This might better account for those Caudle lectures which woman is in the habit of delivering, and some color is given to this theory, from the fact that husbands even down to the present day seem to inherit a general disposition to leave their wives behind. [Laughter.]

The first woman, finding no other man in that garden except her own husband, took to flirting even with the Devil. [Laughter.] The race might have been saved much tribulation if Eden had been located in some calm and tranquil land—like Ireland. There would at least have been no snakes there to get into the garden. Now woman in her thirst after knowledge showed her true female inquisitiveness in her cross-examination of the serpent, and, in commemoration of that circumstance, the serpent seems to have been curled up and used in nearly all languages as a sign of interrogation. Soon the domestic troubles of our first parents began. The first woman's favorite son was killed with a club, and married women even to this day seem to have an instinctive horror of clubs. The first woman learned that it was Cain that raised a club. The modern woman has learned it is a club that

raises cain. Yet, I think, I recognize faces here to-night that I see behind the windows of Fifth Avenue clubs of an afternoon, with their noses pressed flat against the broad plate glass, and as woman trips along the sidewalk, I have observed that these gentlemen appear to be more assiduously engaged than ever was a government scientific commission in taking observations upon the transit of Venus. [Laughter.]

Before those windows passes many a face fairer than that of the Ludovician Juno or the Venus of Medici. There is the Saxon blonde with the deep blue eye, whose glances return love for love, whose silken tresses rest upon her shoulders like a wealth of golden fleece, each thread of which looks like a ray of the morning sunbeam. There is the Latin brunette with the deep, black, piercing eye, whose jetty lashes rest like silken fringe upon the pearly texture of her dainty cheek, looking like raven's wings spread out upon new-fallen snow.

And yet the clubman is not happy. As the ages roll on woman has materially elevated herself in the scale of being. Now she stops at nothing. She soars. She demands the coeducation of the sexes. She thinks nothing of delving into the most abstruse problems of the higher branches of analytical science. She can cipher out the exact hour of the night when her husband ought to be home, either according to the old or the recently adopted method of calculating time. I never knew of but one married man who gained any decided domestic advantage by this change in our time. He was an *habitué* of a club situated next door to his house. His wife was always upbraiding him for coming home too late at night. Fortunately, when they made this change of time, they placed one of these meridians from which our time is calculated right between the club and his house. [Laughter.] Every time he stepped across that imaginary line it set him back a whole hour in time. He found that he could then leave his club at one o'clock and get home to his wife at twelve; and for the first time in twenty years peace reigned around that hearthstone.

Woman now revels even in the more complicated problems of mathematical astronomy. Give a woman ten minutes and she will describe a heliocentric parallax of the heavens. Give her twenty minutes and she will find astronomically the longitude of a place by means of lunar culminations. Give that same woman an hour and a half, with the present fashions, and she cannot find the pocket in her dress.

And yet man's admiration for woman never flags. He will give her half his fortune; he will give her his whole heart; he seems always willing to give her everything that he possesses, except his seat in a horse-car. [Laughter.]

Every nation has had its heroines as well as its heroes. England,

in her wars, had a Florence Nightingale; and the soldiers in the expression of their adoration, used to stoop and kiss the hem of her garment as she passed. America, in her war, had a Dr. Mary Walker. Nobody ever stooped to kiss the hem of her garment—because that was not exactly the kind of garment she wore. [Laughter.] But why should man stand here and attempt to speak for woman, when she is so abundantly equipped to speak for herself. I know that is the case in New England; and I am reminded, by seeing General Grant here tonight, of an incident in proof of it which occurred when he was making that marvelous tour through New England, just after the war. The train stopped at a station in the State of Maine. The General was standing on the rear platform of the last car. At that time, as you know, he had a great reputation for silence—for it was before he had made his series of brilliant speeches before the New England Society. They spoke of his reticence—a quality which New Englanders admire so much—in others. [Laughter.] Suddenly there was a commotion in the crowd, and as it opened a large, tall, gaunt-looking woman came rushing toward the car, out of breath. Taking her spectacles off from the top of her head and putting them on her nose, she put her arms akimbo, and looking up, said: "Well, I've just come down here a runnin' nigh onto two mile, right on the clean jump, just to get a look at the man that lets the women do all the talkin'." [Laughter.]

The first regular speaker of the evening [William M. Evarts] touched upon woman, but only incidentally, only in reference to Mormonism and that sad land of Utah, where a single death may make a dozen widows. [Laughter.]

A speaker at the New England dinner in Brooklyn last night [Henry Ward Beecher] tried to prove that the Mormons came originally from New Hampshire and Vermont. I know that a New Englander sometimes in the course of his life marries several times; but he takes the precaution to take his wives in their proper order of legal succession. The difference is that he drives his team of wives tandem, while the Mormon insists upon driving his abreast. [Laughter.]

But even the least serious of us, Mr. President, have some serious moments in which to contemplate the true nobility of woman's character. If she were created from a rib, she was made from that part which lies nearest a man's heart.

It has been beautifully said that man was fashioned out of the dust of the earth while woman was created from God's own image. It is our pride in this land that woman's honor is her own best defense; that here female virtue is not measured by the vigilance of detective nurses; that here woman may walk throughout the length and the breadth

of this land, through its highways and its byways, uninsulted, unmolested, clothed in the invulnerable panoply of her own woman's virtue; that even in places where crime lurks and vice prevails in the haunts of our great cities, and in the rude mining gulches of the West, owing to the noble efforts of our women, and the influence of their example, there are raised up, even there, girls who are good daughters, loyal wives, and faithful mothers. They seem to rise in those rude surroundings as grows the pond lily, which is entangled by every species of rank growth, environed by poison, miasma and corruption, and yet which rises in the beauty of its purity and lifts its fair face unblushing to the sun.

No one who has witnessed the heroism of America's daughters in the field should fail to pay a passing tribute to their worth. I do not speak alone of those trained Sisters of Charity, who in scenes of misery and woe seem Heaven's chosen messengers on earth; but I would speak also of those fair daughters who come forth from the comfortable firesides of New England and other States, little trained to scenes of suffering, little used to the rudeness of a life in camp, who gave their all, their time, their health, and even life itself, as a willing sacrifice in that cause which then moved the nation's soul. As one of these, with her graceful form, was seen moving silently through the darkened aisles of an army hospital, as the motion of her passing dress wafted a breeze across the face of the wounded, they felt that their parched brows had been fanned by the wings of the angel of mercy.

Ah! Mr. President, woman is after all a mystery. It has been well said, that woman is the great conundrum of the nineteenth century; but if we cannot guess her, we will never give her up. [Applause.]

§ 59

THE YOUNG LAWYER

By F. Charles Hume

(Delivered at the dinner of the American Bar Association in Minneapolis, August 31, 1906.)

Mr. Toastmaster, Ladies, Fellow Practitioners, and Young Lawyers: I feel that I need no introduction to the lawyers of America. In this distinguished company I feel assured that I do not speak in a stranger's voice—but in my own. For many years my name has been a household word—among the members of my own family. Whether the premonitory rumbles of coming greatness have prevented me here, I know not. In my own state I am not known solely as a lawyer. My fame is also titular: I am called "judge" by the obsequious office boy, and by the janitor—"where thrift may follow fawning." But my pre-eminence rests on no firmer foundation than authorship of a work upon an important legal subject. And in justice to myself and my state I must say that I owe my juristic rank, and such name and fame as I bear, to my "domestic relations."

It would be superfluous for me to say that this is the happiest moment of my life, because it is—not. After-dinner speaking is an effort to appear at ease and happy, though fearful and tumultuous. It is, indeed, an unusual accomplishment. It is the *patti-de-foi-gras* of oratory,—a conditional rather than a normal mode of expression. The archetype of the art is the impromptu speech. It is often an unplumed squab for flight, and heavy with "the stuff that dreams are made of"—the art that's long when time in fleeing. It attains its perfection *ex post facto,* or retroactively; that is, after the banquet hall's deserted, and the speaker is homeward bound alone. How pregnant then and cheerful are the words of philosophy: Sweet are the uses of—retrospection.

Upon this occasion I urge no claim to offhand powers of eloquence. I cannot say, and it would be vain for me to assert, that this is an extemporaneous effort. The weight of internal evidence would crush the contention; and the faithful years of laborious preparation would

F. Charles Hume, Jr. Born at Galveston, Tex., June 7, 1874; educated public and private schools at Galveston, Bellevue High School (Virginia), University of Texas, George Washington University; holds degrees A.B., LL.B.; former State Senator of Texas; now Referee in bankruptcy and practising law at Houston, Tex.

shrink aghast at such wild asseveration, and put to shame my base ingratitude. On the contrary, behold in me the sophomoric apostle of the midnight oil—a sedentary sacrifice to a young life's masterpiece!

From the lawyers of Texas I come—unarmed—bringing to you the message of civilization. Without hope of reward, and without fear of recognition, I have come to lend the charm of high professional character, and impart tone to this meeting. It is not to me, however, that your thanks are due for my presence here. It was my brethren of the bar that sent me on this mission, conscious of its perils. I will not shield them. It was they that did command and hasten my departure hither, with the classic Spartan adjuration, Go; come back with your nerve, or on it!

Gentlemen, I am a modest man, as all men are that say they are. And my chief characteristic, aside from physical pulchritude, is candor; that is, I am a blunt man even to the point of dullness. Yet I clearly see that there is a duty devolving upon those of us who have attained the heights, to cast benign glances upon the young lawyers struggling in the valley below. For at last the young lawyer is the hope of the profession, as he is the despair of the trial judge.

This evening I shall not shirk my grave responsibility. I shall "a round unvarnished tale deliver," concretely presenting the subject in static and dynamic aspects, and undertaking to impress upon the young lawyers the lessons to be drawn from the careers of the eminent men who adorn our profession. And this notwithstanding the fact that I must speak of myself,—a part of my practice which I have always had the tenacity and good fortune to hold.

From childhood my favorite form of composition has been autobiography. I despise shams and pretenses. A man should be what he is, and say what he is. I do not pretend to be a great lawyer—I am! Is it come to pass, forsooth, that greatness is a mockery? In these untoward days must we needs forswear our fundamental convictions? Not I, gentlemen. My position is sustained by the highest authority in the land. Without specific citation I refer you to my own edition of "Parents' Reports" for the leading case upon which I rely, styled "Our boy against the world," announcing the doctrine so dear to the young lawyer as the bulwark of his premature renown,—the elemental principle, so tenderly expressed by the fireside poet, Whatever mother says is right.

And yet I was once a young lawyer. And to-day I love the young lawyer even as I do myself; and all I shall say will proceed from an impulse to do him good. I am neither "case" hardened nor embittered by multiplicity of suits. I shall be cruel only to be bright. My sympa-

thies are broad and deep; yet I can look upon him in the "dry light" of science—dispassionately and without asperity. So to-night I shall lay aside all distinctions and treat them as if equals.

The young lawyer exults in logic and analysis—he defies them both. Let us contemplate him. He may be described as the *genus homo importans*—"deep on whose front engraven deliberation sits and public care." He is *res tota*,—in the modern tongue, "the whole works." He is great in *persona* rather than in *rem* or in *rebus*. According to experienced trial judges the young lawyer is a contradiction in terms, yet a necessary evil, whose chief function is to grow older. Like the law he is a process, not a completed product,—university diplomas notwithstanding. In judicial opinion he is *obiter dictum*. Among lawyers he is *sui generis*—a sort of difference without—a distinction. The jurists appear to concede that he exists by presumption of law, and the weight of authority seems to be that he thrives by presumption in fact. He can scarcely be said to come within the purview of the laity; his name loometh large on his own sign to the public. It shineth from afar—and very faintly. He is not expressly classified among the public utilities, but he no doubt has his place; the difficulty is to find it. His sphere is coextensive with that ascribed by Lord Brougham to the law of England,—"to get twelve men in a box"—and jam down the lid!

He is a peripatetic institution of learning, dedicated to his own glorification, endowed with majestic powers of his own imagining, and founded upon the three cardinal virtues, faith, hope, and charity,—faith in his own infinite knowledge, hope for the obtuseness of judges and juries, and charity for the older lawyers who have all the business; and the greatest of these is faith.

He disdains to shine by reflected effulgence. He is a legal light in, and unto, himself, only waiting to be extinguished. To him law and abstract justice are the same. He is long on theory and short on practice. With him "knowledge comes, but wisdom lingers." And until he realizes that men and all human institutions are mere approximations to perfection, and that good and evil alike are persistent forces, with juridical "eye in the fine frenzy rolling" he crouches in his lair, like a fierce giraffe, ready to leap, upon quixotic provocation, to right the wrongs of an erring world. And be it said to his honor that he stands peerless and transcendent in the domain of "Buffalo Jurisprudence" and "Kangaroo Procedure."

I have never talked to a young lawyer that did not "out-Herod Herod" for prosperity It is not with him an occasional or acute attack, but a chronic condition. As a young lawyer I had more business than I could have attended to in sixty years, and the magnitude of my income

was incredible. But as I grew older, the law somewhat fell in disrepute with clients, and my coffers contained naught but "intangible assets."

The lawyer should know everything—the young lawyer does. If the old lawyer knows most, the young lawyer knows best. It is no trouble for him to tell what the law is—it is rather a surprise. But the evil day cometh apace when, "with assurance doubly sure" and stride triumphant, he marches into court with his first case; and, enveloped in the darkness of his own pleadings, he falls into the clutches of the grisly old gorilla, General Demurrer. Let us not paint the pathetic picture, nor voice the lamentation.

The young lawyer is gregarious,—he cometh in flocks. But tremble not, friends, at the annual increase of competitors, for many young lawyers are called, few deliver the "merchandise." To the established practitioner the situation is not hopeless, but has its compensations. Let us be just, for we know that the young lawyer is a valuable litigious asset. And, furthermore, whether we agree that the law is an exact science or not, we know that it has a sort of certainty that often amounts to fatality; and that, while its policy is to put an end to litigation, its practice puts an end to young lawyers, thus establishing in the profession a subtle relation of equilibrium between genesis and exodus. Also let us be generous. And when the young lawyer feels that his place is precarious, and that his talents are not appreciated, and that everything is against him, let us exhort him to brace up, have courage, and be firm; for conditions will change and probably get—worse. And, my dear young friend, let me admonish you, in the melancholy hour and whatever may betide, to think always of the nobility and dignity of your profession. Keep well in your own mind that you are a lawyer; and some day perhaps the community will discover your secret. Make yourself agreeable to the old practitioners. Keep in touch with them. Impress them with your significance, and with the fact that you have a college education. Let them know that you are a "coming" as well as a "going" concern. Tell them how well you are doing; that you first cases to a finish and never let up. Blow—even as the four winds; they admire enthusiasm. Do equity by them; withhold not the worst; when you have lost a suit, go to them—*pari passu*. Regale them with the law of extenuating circumstances; cover the subject—to the point of exhaustion. Try the case all over again for their refreshment. You may get another trial—if their opinion theretofore has been good they will probably set aside the judgment.

Shun, as you would the pestilence, the evil spirit of commercialism in your professional conduct. Be not money-driven hirelings of a trade.

I have heard that, in some sections of our country, lawyers have yielded to this sinister influence and have trailed the priceless standard of our calling in the golden dust, and have sacrificed our lofty traditions upon the altar of Mammon. Reluctantly though I confess it, I am reliably informed that lawyers in the large cities of the north and east have reduced the profession to a business; that they boldly receive money for legal services, and actually earn from this source a comfortable livelihood. And some, more daring than the rest, are said in this doubtful manner to have acquired a fortune. Coming as I do from a distant state, whose professional atmosphere is chaste and undefiled, I hesitate to believe the accusation. And I may add, with pardonable pride, that never in my personal experience at the Texas bar has such an ominous condition of affairs been known to exist. My own observation has been that in Texas the rich lawyer is a paradox; and my conjecture has been that in other states he was a "legal fiction." Yes, my friends, in good conscience I may aver that in the imperial state from which I come the law, like virtue, is its own reward—at least I have found it so. Esteem the law, thy mistress, the guardian angel of blind justice, and, by men's unthought appointment through the ages, her majestic voice and dread interpreter. She sits aloft on the rock-ribbed Mount of Right,—a peaceful virgin, frowning chaos and disorder down throughout the world. To stay the hand of reckless might and turbulence she reacheth forth; and higher yet to lift the blood-won standard of long-wakening man's humanity to man. From us she's hid betimes in mist, and from her dim retreat 'tis sport to watch us climb and stumble, fall and then again essay the height. There leads no path of dalliance to her bower; to her favor winds the stubborn royal road of honor, courage, and devotion. With the largess of content that on the faithful she bestows, nor gold, nor regal purple, nor the "wealth of Ind," nor argosy with precious stones deep laden, e'en can vie; all these are but the greedy gew-gaws of a life misused, against the tranquil balm which waits the seal of her approval. My friends, she is a stern mistress, "correctly cold," and never to be completely subdued. To the blandishments of the young man of wealth she usually giveth the "marble heart." For a soft income turneth away resolution, and dulleth the edge of endeavor. My comrades, let me warn you: do not fall under the ban—don't be a rich man's son. To a young lawyer there is no predicament more baleful and tragic—except to be a poor man's son.

Develop generous impulses. It is to my keen sense of gratitude that I chiefly owe my present business relations. When the world was apprised, through the Associated Press, that I had procured license to practise law, the clamorous demands usually made for the services of

the young lawyer by interests in large cities were directed toward me. But my father, who had sent me to school, I felt had some claims upon me. So I took no account of any of the inducements offered me. I went to my father and said: "You have educated me,—at least you think you have. I am grateful. You have an established practice; you need me." And I proved it by taking him into partnership. And I advise every young lawyer similarly situated to follow my example, especially if he has any reverence for the three graces,—food, shelter, and raiment. Censure me not for paternalism; each to his own. But verily, to depend on our fathers is silver; to depend on ourselves is "brass." And, lest you have cause to lament with your client, I charge you fling away self-reliance, for by that sin fell the angels.

May you always know the flush, but never the blush, of victory. And to this end remember that in our time under the statute *de bonis asportatis* you must not be "caught with the goods."

—You will no doubt make mistakes. The man that never makes mistakes never makes anything. And to the man of indomitable will nothing succeeds like failure. "Upon our dead selves as stepping stones we rise to higher things." I have traveled the road myself. I want to see you successful. You have my best wishes ever. In your adversity my heart goes out to you; in your prosperity—my hand.

In conclusion—be your success, as men call it, what it may, bear in mind that change is the law of life. The watchword of progress is "move on"; and fixation is retrogression. And in this regard, doth justice ever grant fair and ample dispensation to her servitors of the law. Mindful of your solace, she hath wisely provided. And when the city's "thick-coming" complications, and garish flare and turmoil, shall have palled upon you, and you have overtaxed your "credulity in listening to the whispers of fancy"; and have pursued with vain "eagerness the phantoms of hope," you may still answer the plaintive call of the bucolic siren for her own—and take to the tall timber; And, my dear young friends, as a prophet without honor in his own, or any other country, let me predict that I shall precede you there; and be the first to bid you welcome, in copious draughts of obscurity, back to nature and the simple life.

CHAPTER X

SPEECHES OF INTRODUCTION

§ 60

INTRODUCING LOUIS KOSSUTH

By William Cullen Bryant

(Address at the banquet given in honor of the Hungarian patriot by the Press of New York, December 9, 1851.)

GENTLEMEN: Before announcing the third regular toast, which is a very short one, allow me to say a few words. Let me ask you to imagine that the contest in which the United States asserted their independence of Great Britain had closed in disaster and defeat; that our armies, through treason and a league of tyrants against us, had been broken and scattered; that the great men who led them, and who swayed our councils, our Washington, our Franklin, the venerable President of the American Congress, and their illustrious associates, had been driven forth as exiles. If there had existed at that day, in any part of the civilized world, a powerful republic, with institutions resting on the same foundations of liberty which our own countrymen sought to establish, would there have been in that republic any hospitality too cordial, any sympathy too deep, any zeal for their glorious but unfortunate cause too fervent or too active to be shown towards these illustrious fugitives? Gentlemen, the case I have supposed is before you. The Washingtons, the Franklins of Hungary, her sages, her legislators, her warriors, expelled by a far worse tyranny than was ever endured here, are wanderers in foreign lands. Some of them are within our own borders; one of them sits with his companions as our guest to-night, and we must measure the duty we owe them by the same standard which we would have had history apply, if our ancestors had met with a fate like theirs.

WILLIAM CULLEN BRYANT. Born at Cummington, Mass., November 3, 1794; died at New York, June 12, 1878; educated at Williams College; studied law and was admitted to the bar in 1815; practised law at Great Barrington, Mass.; joined the staff of the *New York Evening Post* in 1825; was editor-in-chief of the *Evening Post*, 1828-1878.

I have compared the exiled Hungarians to the great men of our own history. Difficulty, my brethren, is the nurse of greatness—a harsh nurse, who roughly rocks her foster-children into strength and athletic proportion. The mind, grappling with great aims and wrestling with mighty impediments, grows by a certain necessity to their stature. Scarce anything so convinces me of the capacity of the human intellect for indefinite expansion in the different stages of its being, as this power of enlarging itself to the height and compass of surrounding emergencies. These men have been trained to greatness by a quicker and surer method than a peaceful country and a tranquil period can know.

But it is not merely, or even principally, for their personal qualities that we honor them; we honor them for the cause in which they so gloriously failed. Great issues hung upon that cause, and great interests of mankind were crushed by its downfall. I was on the continent of Europe when the treason of Gorgey laid Hungary bound at the feet of the Czar. Europe was at that time in the midst of the reaction; the ebb tide was rushing violently back, sweeping all that the friends of freedom had planned into the black bosom of the deep. In France the liberty of the press was extinct; Paris was in a state of siege; the soldiery of that Republic had just quenched in blood the freedom of Rome; Austria had suppressed liberty in northern Italy; absolutism was restored in Prussia; along the Rhine and its tributaries, and in the towns and villages of Wurttemberg and Bavaria, troops withdrawn from the barracks and garrisons, filled the streets and kept the inhabitants quiet with the bayonet at their breasts. Hungary, at that moment, alone upheld—and upheld with a firm hand and dauntless heart—the blazing torch of liberty. To Hungary were turned up the eyes, to Hungary clung the hopes of all who did not despair of the freedom of Europe.

I recollect that, while the armies of Russia were moving, like a tempest from the north, upon the Hungarian host, the progress of events was watched with the deepest solicitude by the people of Germany. I was at that time in Munich, the splendid capital of Bavaria. The Bavarians seemed for the time to have put off their usual character, and scrambled for the daily prints, wet from the press, with such eagerness that I almost thought myself in America. The news of the catastrophe at last arrived; Gorgey had betrayed the cause of Hungary, and yielded to the demands of the Russians. Immediately a funeral gloom settled, like a noonday darkness, upon the city. I heard the muttered exclamations of the people: "It is all over: the last hope of European liberty is gone!"

Russia did not misjudge. If she had allowed Hungary to become independent and free, the reaction in favor of absolutism had been in-

complete; there would have been one perilous example of successful resistance to despotism; in one corner of Europe a flame would have been kept alive, at which the other nations might have rekindled among themselves the light of liberty. Hungary was subdued; but does anyone who hears me believe that the present state of things in Europe will last? The despots themselves scarcely believe it; they rule in constant fear, and, made cruel by their fears, are heaping chain on chain around the limbs of their subjects.

They are hastening the event they dread. Every added shackle galls into a more fiery impatience those who are condemned to wear it. I look with mingled hope and horror to the day—the hope, my brethren, predominates—a day bloodier, perhaps, than we have seen since the wars of Napoleon, when the exasperated nations shall snap their chains and start to their feet. It may well be that Hungary, made less patient of the yoke by the remembrance of her own many and glorious struggles for independence, and better fitted than other nations, by the peculiar structure of her institutions, for founding the liberty of her citizens on a rational basis, will take the lead. In that glorious and hazardous enterprise, in that hour of her sore need and peril, I hope she will be cheered and strengthened with aid from this side the Atlantic; aid given, not with a parsimonious hand, not with a cowardly and selfish apprehension lest we should not err on the safe side—wisely, of course,—I care not with how broad and comprehensive a regard to the future—but in large, generous, effectual measure.

And you, our guest, fearless, eloquent, large of heart and of mind, whose one thought is the salvation of oppressed Hungary, unfortunate, but not discouraged, struck down in the battle of liberty, but great in defeat, and gathering strength for triumphs to come, receive the assurance at our hands, that in this great attempt of man to repossess himself of the rights which God gave him, though the strife be waged under a distant belt of longitude, and with the mightiest despotisms of the world, the Press of America will take part—*will* take, do I say?—already takes part with you and your countrymen.

Enough of this; I detain you from the accents to which I know you are impatient to listen only just long enough to pronounce the toast of the evening: "Louis Kossuth." [Applause.]

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can point to a longer past than ours, and with whose achievements the centuries have rung.

Our brotherhood knows no bounds of place, no limits, natural artificial. Characteristic of university learning from the very begin was its cosmopolitan spirit. · While States and cities dwelt i centered isolation, the universities of the Middle Ages establi first postoffice by which intelligence could be interchanged a grow by one another's intellectual work. That community which the members of the brotherhood of learning have from the outset has been in recent days helped beyond those modern inventions which have annihilated spa it possible to have with us representatives, not only the South, from the Mississippi and from the Pa holm and St. Petersburg, from Japan and from

Our brotherhood knows no bounds of occupa hen people thought of the learned professions rom all others, the exclusive property of a nay differ as to the achievement of democ value that growing democracy of letters a learned and noble profession, when it i vision which is furnished by science o terested devotion to the public welfare are proud to have with us not only t physician; not merely the historical coverer; but the men of every name or in commerce, have contributed t the scope of university life.

Nor does our brotherhood know institutions of learning which at som a more or less sectarian character t making their theology no longer a t coming as friends all who contrib the same forms or under others. that we can all unite therein, te tolerance, and of earnestness. have learned silence from the the tolerance which can "see a the earnestness which would ences of standpoint, but movement toward high and life.

§ 67

WELCOME TO THE ALUMNI

By Oliver Wendell Holmes

sident of the day, at the annual dinner of the Harvard Alumni Association in Cambridge, July 19, 1860.)

e side of her who is mother of us all, and FRIENDS, as her own children: The older sons of our should have greeted you from this chair of rent reasons absent, it has become my duty to these honored, but truant, children to the best grateful office, so far as the expression of kind undesired duty, if I look to the comparisons e government of the association existing *de facto*. Your President [Robert C. Winly which he visits, by his presence, his ruling, whether it be the council of a or the lively democracy of a dinnerng like this, it seems as if the chairs t him pass to the head of the board, elligent of quadrupeds, the half reantaneous welcome to its highest seat, to order. [Applause.]

rles Francis Adams], whose name much better than his bodily present- your eyes and ears by showing you ith the tones inherited from men destinies. [Applause.] You and st submit to stand in this place itting a happy listener with my latform beneath. Through my s auspicious day, which brings r the benignant smile of our ar fragrant with the incense

ambridge, Mass., August vard in 1829; Professor dicine in Boston, 1841-

It is an accepted fact that the character of each civilized nation is well exhibited in its universities. Now Harvard University has been largely governed for two hundred and fifty years by a body of seven men called the Corporation. Every member of that Corporation which received your royal highness this afternoon at Cambridge is descended from a family stock which has been serviceable in Massachusetts for at least seven generations.

More than one hundred years ago Washington was asked to describe all the high officers in the American army of that day who might be thought of for the chief command. He gave his highest praise to Maj.-Gen. Lincoln of Massachusetts, saying of him that he was "sensible, brave and honest." There are Massachusetts Lincolns to-day to whom these words exactly apply.

The democracy preserves and uses sound old families; it also utilizes strong blood from foreign sources. Thus, in the second governing board of Harvard University—the Overseers—a French Bonaparte, a member of the Roman Catholic Church, sits beside a Scotch farmer's son, Presbyterian by birth and education, now become the leader in every sense of the most famous Puritan church in Boston. The democracy also promotes human beings of remarkable natural gifts who appear as sudden outbursts of personal power, without prediction or announcement through family merit. It is the social mobility of a democracy which enables it to give immediate place to personal merit, whether inherited or not, and also silently to drop unserviceable descendants of earlier meritorious generations.

Democracy, then, is only a further unfolding of multitudinous human nature, which is essentially stable. It does not mean the abolition of leadership, or an averaged population, or a dead-level of society. Like monarchical and aristocratic forms of government, it means a potent influence for those who prove capable of exerting it, and a highly-diversified society on many shifting levels, determined in liberty, and perpetually exchanging members up and down. It means sensuous luxury for those who want it, and can afford to pay for it; and for the wise rich it provides the fine luxury of promoting public objects by well-considered giving.

Since all the world seems tending toward this somewhat formidable democracy, it is encouraging to see what the result of two hundred and eighty years of democratic experience has been in this peaceful and prosperous Massachusetts. Democracy has proved here to be a safe social order—safe for the property of individuals, safe for the finer arts of living, safe for diffused public happiness and well-being.

We remember gratefully in this presence that a strong root of Massa-

chusetts liberty and prosperity was the German Protestantism of four centuries ago, and that another and fresher root of well-being for every manufacturing people, like the people of Massachusetts, has been German applied science during the past fifty years. We hope as your royal highness goes homeward-bound across the restless Atlantic—type of the rough "sea of storm-engendering liberty"—you may cherish a cheerful remembrance of barren but rich, strenuous but peaceful, free but self-controlled Massachusetts.

§ 69

WELCOME TO "THE WHEELOCK SUCCESSION"

By William Jewett Tucker

(Delivered at the inauguration of President Ernest Fox Nichols of Dartmouth College, October 14, 1909. From a record of the proceedings, published by the college.)

President Nichols, I am permitted by the courtesy of the trustees to introduce you at this point to a somewhat peculiar, because personal, succession, into which each president of the College enters upon his induction into office. The charter of Dartmouth, unlike that of any college of its time so far as I know, was written in personal terms. It recognizes throughout the agency of one man in the events leading up to and including the founding of the College. And in acknowledgment of this unique fact it conferred upon this man—founder and first president—some rather unusual powers, among which was the power to appoint his immediate successor. Of course this power of appointment ceased with its first use, but the idea of a succession in honor of the founder, suggested by the charter, was perpetuated; so that it has come about that the presidents of Dartmouth are known, at least to themselves, as also the successors of Wheelock, a distinction which I am quite sure that you will appreciate more and more. For Eleazar Wheelock was the type of the man the impulse of whose life runs on in men, creating as it goes a natural succession: a man whose power of initiative is evidenced by the fact that at sixty he was able to found this College in the wilderness: a scholar by the best standards of his time,

William Jewett Tucker. Born at Griswold, Conn., July 13, 1839; graduated from Dartmouth, 1861; Andover Theological Seminary, 1866; ordained in the Congregational ministry, 1867; Pastor Franklin Street Church, Manchester, N. H., 1867-75; Madison Square Presbyterian Church, New York, 1875-79; Professor of Rhetoric in the Andover Theological Seminary, 1879-93; President of Dartmouth College, 1893-1909.

the first Berkeley Fellow at Yale: broad and courageous in his mental sympathies, a leader in the progressive movements of his age: and of so high and commanding a devotion of purpose that it brought him to an accomplished end. I do not know in just what ways the impulse of this man's life entered into the life of my predecessors. To me it has been a constant challenge. Whenever I have grown dull of heart as well as of mind, tempted to shirk work or to evade duty, I have found it a most healthful exercise to go over to this man's grave and read his epitaph—

> "By the Gospel He Subdued the Ferocity of the Savage,
> And to the Civilized He Opened New Paths of Science.
> Traveller,
> Go, if You Can, and Deserve
> The Sublime Reward of Such Merit."

Dartmouth, as you know, has been singularly fortunate in the return into its own life of the fame and service of some of her greater sons, singularly fortunate also in the abounding and unflinching loyalty of all of her sons; but I believe that the greatest possession of the College has been and is still the spirit of Eleazar Wheelock in so far as it has been transmitted through his successors. I think therefore that the term "The Successors of Wheelock" is worthy of public, if not of official, recognition. Unwittingly Wheelock himself originated the expression in the very thoughtful provision which he tried to make for those of us who were to come after him. "To my successors," he says in one of the last clauses of his will, not to the trustees nor to the College, but "to my successors in the presidency I give and bequeath my chariot which was given me by my honored friend, John Thornton, Esquire, of London: I also give to my successors my house clock which was a donation made me by my much honored patrons, the Honorable Trust in London."

It is no matter of surprise, as we recall the utter indifference of each generation to those things of its daily handling which are likely to become historic, that these perquisites of the succession have long since disappeared. But happily the intention of Wheelock was caught and held in permanent shape. When John Wentworth, governor of the Province of New Hampshire, returned from the first commencement, he sent back, possibly as a reminder of a deficiency on that occasion, a silver punch bowl bearing this inscription—

"His Excellency John Wentworth Esquire, Governor of the Province of New Hampshire, and those friends who accompanied him to Dartmouth the

first Commencement in 1771, in testimony of their gratitude and good wishes. present this to the Reverend Eleazar Wheelock, D. D., and to his successors in that office."

This bowl, which, as I now produce it, seems so inadequate to the draughts of that time, for this very reason serves us the better as a kind of loving cup.

In the spirit of the original gift, but after the fashion of the later use, I now transfer it to you with the good will of the long succession, and in the personal hope that it may be many, many years before you will have the opportunity to transfer it to your successor.

CHAPTER XII

SPEECHES OF FAREWELL

§ 70

FAREWELL TO ENGLAND

By Edward John Phelps

(Delivered at London, 1890.)

My Lord Mayor, My Lords, and Gentlemen: I am sure you will not be surprised to be told that the poor words at my command do not enable me to respond adequately to your most kind greeting, nor the too flattering words which have fallen from my friend, the Lord Mayor, and from my distinguished colleague, the Lord Chancellor. But you will do me the justice to believe that my feelings are not the less sincere and hearty if I cannot put them into language. I am under a very great obligation to your Lordship not merely for the honor of meeting this evening an assembly more distinguished I apprehend than it appears to me has often assembled under one roof, but especially for the opportunity of meeting under such pleasant circumstances so many of those to whom I have become so warmly attached, and from whom I am so sorry to part.

It is rather a pleasant coincidence to me that about the first hospitality that was offered me after my arrival in England came from my friend, the Lord Mayor, who was at the time one of the sheriffs of London. I hope it is no disparagement to my countrymen to say that under existing circumstances the first place that I felt it my duty to visit was the Old Bailey criminal court. I had there the pleasure of being entertained by my friend, the Lord Mayor. And it happens also that it was in this room almost four years ago at a dinner given to her Majesty's judges by my friend, Sir Robert Fowler, then Lord Mayor, whose genial face I see before me, that I appeared for the first time on any public occasion in England and addressed my first words to an

Edward John Phelps. Born at Middlebury, Vt., July 11, 1822; died in New Haven, Conn., March 9, 1900; admitted to the bar in Vermont in 1843; Democratic candidate for Governor of Vermont in 1880; Professor of Law in Yale University, 1881-1909; Ambassador to Great Britain, 1885-1890.

English company. It seems to me a fortunate propriety that my last public words should be spoken under the same hospitable roof, the home of the chief magistrate of the city of London. Nor can I ever forget the cordial and generous reception that was then accorded, not to myself personally, for I was altogether a stranger, but to the representative of my country. It struck what has proved to the keynote of my relations here. It indicated to me at the outset how warm and hearty was the feeling of Englishmen toward America.

And it gave me to understand, what I was not slow to accept and believe, that I was accredited not merely from one government to the other, but from the people of America to the people of England—that the American minister was not expected to be merely a diplomatic functionary shrouded in reticence and retirement, jealously watching over doubtful relations, and carefully guarding against anticipated dangers; but that he was to be the guest of his kinsmen—one of themselves—the messenger of the sympathy and good will, the mutual and warm regard and esteem that bind together the two great nations of the same race, and make them one in all the fair humanities of life. The suggestion that met me at the threshold has not proved to be mistaken. The promise then held out has been generously fulfilled. Ever since and through all my intercourse here I have received, in all quarters, from all classes with whom I have come in contact, under all circumstances and in all vicissitudes, a uniform and widely varied kindness far beyond what I had personally the least claim to. And I am glad of this public opportunity to acknowledge it in the most emphatic manner.

My relations with the successive governments I have had to do with have been at all times most fortunate and agreeable, and quite beyond those I have been happy in feeling always that the English people had a claim upon the American minister for all kind and friendly offices in his power, and upon his presence and voice on all occasions when they could be thought to further any good work.

And so I have gone in and out among you these four years and have come to know you well. I have taken part in many gratifying public functions; I have been the guest at many homes; and my heart has gone out with yours in memorable jubilee of that sovereign lady whom all Englishmen love and all Americans honor. I have stood with you by some unforgotten grave; I have shared in many joys; and I have tried as well as I could through it all, in my small way, to promote constantly a better understanding, a fuller and more accurate knowledge, a more genuine sympathy between the people of the two countries.

And this leads me to say a word on the nature of these relations. The moral intercourse between the governments is most important to be main-

tained, and its value is not to be overlooked or disregarded. But the real significance of the attitude of nations depends in these days upon the feelings which the general intelligence of their inhabitants entertain toward each other. The time has long passed when kings or rulers can involve their nations in hostilities to gratify their own ambition or caprice. There can be no war nowadays between civilized nations, nor any peace that is not hollow and delusive unless sustained and backed up by the sentiment of the people who are parties to it. Before nations can quarrel their inhabitants must seek war. The men of our race are not likely to become hostile until they begin to misunderstand each other. There are no dragon's teeth so prolific as mutual misunderstandings. It is in the great and constantly increasing intercourse between England and America, in its reciprocities, and its amenities, that the security against misunderstanding must be found. While that continues, they cannot be otherwise than friendly. Unlucky incidents may sometimes happen; interests may conflict; mistakes may be made on one side or on the other, and sharp words may occasionally be spoken by unguarded or ignorant tongues. The man who makes no mistakes does not usually make anything. The nation that comes to be without fault will have reached the millennium, and will have little further concern with the storm-swept geography of this imperfect world. But these things are all ephemeral; they do not touch the great heart of either people; they float for a moment on the surface and in the wind, and then they disappear and are gone—"in the deep bosom of the ocean buried."

I do not know, sir, who may be my successor, but I venture to assure you that he will be an American gentleman, fit by character and capacity to be the medium of communication between our countries; and an American gentleman, when you come to know him, generally turns out to be a not very distant kinsman of an English gentleman. I need not bespeak for him a kindly reception. I know he will receive it for his country's sake and his own.

"Farewell," sir, is a word often lightly uttered and readily forgotten. But when it marks the rounding-off and completion of a chapter in life, the severance of ties many and cherished, of the parting with many friends at once—especially when it is spoken among the lengthening shadows of the western light—it sticks somewhat in the throat. It becomes, indeed, "the word that makes us linger." But it does not prompt many other words. It is best expressed in few. Not much can be added to the old English word "Good-by." You are not sending me away empty-handed or alone. I go freighted with happy memories—inexhaustible and unalloyed—of England, its warm-hearted people, and

their measureless kindness. Spirits more than twain will cross with me, messengers of your good will. Happy the nation that can thus speed its parting guest! Fortunate the guest who has found his welcome almost an adoption, and whose farewell leaves half his heart behind!

§ 71

FAREWELL TO THE MEDICAL PROFESSION OF AMERICA

By William Osler

(Speech at a dinner given by the medical profession of the United States and Canada, New York, May 20, 1905.)

I am sure you all sympathize with me in the feelings which naturally almost overpower me on such an occasion. Many testimonials you have already given me of your affection and of your regard, but this far exceeds them all, and I am deeply touched that so many of you have come long distances, and at great inconvenience, to bid me God-speed in the new venture I am about to undertake. Pardon me, if I speak of myself, in spite of Montaigne's warning that one seldom speaks of one's self without some detriment to the person spoken of. Happiness comes to many of us and in many ways, but I can truly say that to few men has happiness come in so many forms as it has come to me. Why I know not, but this I do know, that I have not deserved more than others, and yet a very rich abundance of it has been vouchsafed to me. I have been singularly happy in my friends, and for that I say "God be praised." I have had exceptional happiness in the profession of my choice, and I owe all of this to you. I have sought success in life, and if, as someone has said, this consists in getting what you want and being satisfied with it, I have found what I sought in the estimation, in the fellowship and friendship, of the members of my profession.

I have been happy, too, in the public among whom I have worked, —happy in my own land in Canada, happy here among you in the country of my adoption, from which I cannot part without bearing testimony to the nobility and the grace of character which I have found here in my colleagues. It fills me with joy to think that I have had not only the consideration and that ease of fellowship which means so much

William Osler, Sir. Born Bond Head, Canada, July 12, 1849; educated Trinity College (Toronto), Toronto University, McGill University, University College of London, etc.: Professor of Medicine, McGill University, 1874-1884, University of Pennsylvania 1884-1889, Johns Hopkins University 1889-1904; created baronet 1911.

in life, but the warmest devotion on the part of my patients and their friends.

Of the greatest of all happiness I cannot speak—of my home. Many of you know it, and that is enough.

I would like to tell you how I came to this country. The men responsible for my arrival were Samuel W. Gross and Minis Hays of Philadelphia, who concocted the scheme in the *Medical News* office, and asked James Tyson to write a letter asking if I would be a candidate for the professorship of Clinical Medicine in the University of Pennsylvania. That letter reached me at Leipsic, having been forwarded to me from Montreal by my friend Shepherd. So many pranks had I played on my friends there that, when the letter came, I felt sure it was a joke, so little did I think that I was one to be asked to succeed Dr. Pepper. It was several weeks before I ventured to answer that letter, fearing that Dr. Shepherd had perhaps surreptitiously taken a sheet of University of Pennsylvania notepaper on purpose to make the joke more certain. Dr. Mitchell cabled me to meet him in London, as he and his good wife were commissioned to "look me over," particularly with reference to personal conditions. Dr. Mitchell said there was only one way in which the breeding of a man suitable for such a position, in such a city as Philadelphia, could be tested: give him cherry pie, and see how he disposes of the stones. I had read of the trick before, and disposed of them genteelly in my spoon and got the chair!

My affiliations with the profession in this country have been wide and to me most gratifying. At the University of Pennsylvania I found men whom I soon learned to love and esteem, and when I think of the good men who have gone—of Pepper, of Leidy, of Wormley, of Agnew, of Ashhurst—I am full of thankfulness to have known them before they were called to their long rest. I am glad to think that my dear friends Tyson and Wood are here still to join in a demonstration to me.

At Johns Hopkins University I found the same kindly feeling of friendship, and my association with my colleagues there has been, as you all know, singularly happy and delightful.

With my fellow-workers in the medical societies—in the American Medical Association, in the Association of American Physicians, in the Pediatric, Neurological, and Physiological societies—my relations have been most cordial, and I would extend to them my heartfelt thanks for the kindness and consideration shown me during the past twenty years.

With the general practitioners throughout the country my relations have been of a peculiarly intimate character. Few men present, perhaps very few men in this country, have wandered so far and have seen in so many different sections the doctor at work. To all of these good

friends who have given me their suffrage I express my appreciation and heartfelt thanks for their encouragement and support.

And, lastly, my relations with my students—so many of whom I see here—have been of a close and most friendly character. They have been the inspiration of my work, and I may say truly, the inspiration of my life.

I have had but two ambitions in the profession: first, to make of myself a good clinical physician, to be ranked with the men who have done so much for the profession of this country—to rank in the class with Nathan Smith, Bartlett, James Jackson, Bigelow, Alonzo Clark, Metcalfe, W. W. Gerhard, Draper, Pepper, Da Costa, and others. The chief desire of my life has been to become a clinician of the same stamp with these great men, whose names we all revere, and who did so much good work for clinical medicine.

My second ambition has been to build up a great clinic on Teutonic lines, not on those previously followed here and in England, but on lines which have proved so successful on the Continent, and which have placed the scientific medicine of Germany in the forefront of the world. And if I have done anything to promote the growth of clinical medicine, it has been in this direction, in the formation of a large clinic with a well-organized series of assistants and house physicians and with proper laboratories in which to work at the intricate problems that confront us in internal medicine. For the opportunities which I have had at Johns Hopkins Hospital to carry out these ideas, I am truly thankful. How far I have been successful—or not—remains to be seen. But of this I am certain: if there is one thing above another which needs a change in this country, it is the present hospital system in relation to the medical school. It has been spoken of by Dr. Jacobi, but cannot be referred to too often. In every town of fifty thousand inhabitants a good model clinic could be built up, just as good as in smaller German cities, if only a self-denying ordinance were observed on the part of the profession and only one or two men given the control of the hospital service, not half a dozen. With proper assistance and equipment, with good clinical and pathological laboratories, there would be as much clinical work done in this country as in Germany.

I have had three personal ideals. One, to do the day's work well and not to bother about to-morrow. It has been urged that this is not a satisfactory ideal. It is, and there is not one which the student can carry with him into practice with greater effect. To it, more than to anything else, I owe whatever success I have had—to this power of settling down to the day's work and trying to do it well to the best of one's ability, and letting the future take care of itself.

The second ideal has been to act the Golden Rule, as far as in me lay, towards my professional brethren and towards the patients committed to my care.

And the third has been to cultivate such a measure of equanimity as would enable me to bear success with humility, the affection of my friends without pride, and to be ready, when the day of sorrow and grief comes, to meet it with the courage befitting a man.

What the future has in store for me I cannot tell—you cannot tell. Nor do I care much, so long as I carry with me, as I shall, the memory of the past you have given me. Nothing can take that away.

I have made mistakes, but they have been mistakes of the head, not of the heart. I can truly say, and I take upon myself to witness, that in my sojourn among you—

"I have loved no darkness,
Sophisticated no truth,
Nursed no delusion,
Allowed no fear."

§ 72

FAREWELL TO THE GRADUATING CLASS

By Edwin A. Alderman

(Delivered at the University of Virginia, June, 1920.)

There are some events and some emotions that can never become quite commonplace. The reddening of the autumn leaves and the green tide of oncoming springtime in the natural world are perpetual miracles. In the world of spirit, the going over the top of trained, undaunted, and unbeaten youth to face the duties and meet the perils of life's real battle can never become prosaic. And that is why, as the years roll on, this particular scene and this particular duty do not become stereotyped to us who serve at these altars. The mere scene indeed may be conventional, but the human factors in it are ever fresh, dynamic, and dramatic, as in bright recurring waves, year by year, they break on the shores of manhood.

My heart is thus newly stirred each year to find and to say a fitting

Edwin A. Alderman. Born Wilmington, N. C., May 15, 1861; graduated from University of North Carolina, 1882; President University of North Carolina, 1896-1900; President of Tulane University, 1900-1904; President University of Virginia since 1904.

word to you, young soldiers of the Common Good, at the moment of your civic zero hour. Two primary emotions always rule my mind and spirit at this hour, and I cannot fight away from them. One impulse is to tell you simply that your University has faith in you and cherishes you; and the other is, after the ancient and sometimes fatuous habit of age, to offer you what age deems good counsel. I sometimes doubt if you quite get the one, for the Anglo-Saxon is a bit tongue-tied and lacks the clarity and felicity of the Gaul, for instance, where his heart is involved; and even the other—the good counsel—may miss its mark as the counsel of dull prudence from those who are weary, to the splendor of life at the dawn.

We believe you have gained here some knowledge of nature and men, of laws and institutions, of canons of conduct and taste, of faith and beauty, and of duty and labor. We are justified in defining an educated man as one who holds just notions of such things, and we further believe that these great concepts have been vitalized and warmed by the spiritual consciousness that flows into you from the fount of great traditions which glows and springs here and which constitutes for you an imperishable asset. May the name and memory of the University of Virginia, men of 1920, wherever your paths may lead, or whatever fate may befall you, never fail to wake in you the God that lies sleeping in every man's heart.

Naturally I would say to you that I wish you success in life, but I would care to define success. Success in life is an illusive ideal and almost as difficult of definition as democracy. I shall not essay this definition indeed, except to declare that, other things being equal, if there is among you, and I know there is, a man who is thinking of what he can put into life instead of what he can take from life, who has formed a conception of public conscience and a code of public honor which leads him to think of what he can do for his community, rather than what his community can do for him, that man is building his dream of success on a rock which all the storms of life will not wear away.

The one great virtue with which I would endow each one of you to-day, could I wave a wand over you like the beneficent fairy in the story, would be the gift of public spirit which would destroy for you self-interest as a dominant motive and substitute instead loyalty to men and the betterment of the social life of which you are a part. I venture to hold the belief that in the functions of this little University world, the best of you have learned to put your self-gratifications secondary to the public good and to think in your hearts that such action is the essential criterion of a gentleman. You rightly aspire to be leaders.

You ought to be leaders. Your University exists to train you for leadership. I, therefore, call upon you as trained young democrats, if you are to be leaders at all, to be leaders of public spirit, to be men willing to pour the full might of your knowledge and power into the great tasks of your time, for only along such paths can you hope to find and enjoy durable success in a decent world.

I once heard a man of some personal power and wealth described as the most *"private-spirited"* man in his community. The designation has always lingered with me as the superlative of dispraise and civic condemnation. I cultivate the hope that each of you may win the distinction of being the most *public-spirited* man in your community, for that term I consider the major decoration of republican leadership.

All the last victories of this world are victories of the spirit of man. For many years before 1914, the world accepted the dogma of achievement, the doctrine of action, the gospel of applied power as the last word of national philosophy. Even universities defined themselves as "knowledge in action." Then there fell out four fateful years when the gospel received its apotheosis, and all the days were vivid with action, and the strong man was the man who was up and doing. Glorious victory emerged at last from the welter of haggard days and nights of anxiety and suspense, and many of the great actors and agencies claimed it, not unreasonably, as their own. But lo and behold! it came to pass that the mightiest actors who saw most deeply into the complex human heart, knew in their souls that it was pure spirit that had won that stupendous victory.

You will recall how the great French Marshal—a very thunderbolt of action—subtly conceded this when he defined defeat as really a state of mind. "Nations are never defeated," said Foch, "until they think they are." You may call this unconquerable, imponderable thing what you will—idealism, morale, devotion, courage: it is just spirit—applied spirit—mightier than bolts or bars or cannons or steel. It is not to be thought of as divorced from action but as the mainspring of all triumphant action.

Edith Cavell facing death at dawn, the old Belgian cardinal, the stout-heartedness of English lads trained to fairness in their playing fields; the French love of home, and the American passion for freedom; memories of Valmy and Valley Forge, of Washington and Lafayette; the pity and beauty of ruined cathedrals, the Maid of Orleans, and the tomb of Shakespeare—such streams of spirit flowing onward through the valley of years grew into the resistless volume of martial power that inevitably brought victory on its crest. And it will be spirit —the shining sword of public spirit—sharpened by knowledge, steadied

by unselfish purpose, that will yet accomplish the recovery of the nations and guide the tumult of democracy now raging in all lands into steadfast forms of serenity, justice, and liberty.

Some 17,000 men, for varying lengths of time, have studied within the walls of this ancient University. This number will forever grow with the endless years. Let us pray God that when their race is run it may be said of you and of them—"They sought to work for mankind."

§ 73

SPEECH OF FAREWELL

By Abraham Lincoln

(Delivered at Springfield, Illinois, February 11, 1861.)

My Friends: No one not in my situation can appreciate my feeling of sadness at this parting. To this place, and the kindness of these people, I owe everything. Here I have lived a quarter of a century, and have passed from a young to an old man. Here my children have been born, and one is buried. I now leave, not knowing when or whether ever I may return, with a task before me greater than that which rested upon Washington. Without the assistance of that Divine Being who ever attended him, I cannot succeed. With that assistance, I cannot fail. Trusting in Him who can go with me, and remain with you, and be everywhere for good, let us confidently hope that all will yet be well. To His care commending you, as I hope in your prayers you will commend me, I bid you an affectionate farewell.

See page 341.

CHAPTER XIII

SPEECHES OF RESPONSE

§ 74

RESPONSE TO WELCOME

By Louis Kossuth

(Speech at Harrisburg at a reception in the capitol, in response to Governor Johnston's address of welcome, January 14, 1852.)

Senators and Representatives of Pennsylvania: I came with confidence, I came with hope to the United States,—with the confidence of a man who trusts to the certainty of principles, knowing that where freedom is sown, there generosity grows,—with the hope of a man who knows that there is life in his cause, and that where there is life there must be a future yet. Still, hope is only an instinctive throb with which Nature's motherly care comforts adversity. We often hope without knowing why, and like a lonely wanderer on a stormy night direct our weary steps toward the first glimmering window light, uncertain whether we are about to knock at the door of a philanthropist or of a heartless egotist. But the hope and confidence with which I came to the United States was not such. There was a knowledge of fact in it. I did not know what *persons* it might be my fate to meet, but I knew that meet I should with two living *principles*—with that of Freedom and that of National Hospitality.

Both are political principles here. Freedom is expansive like the light: it loves to spread itself; and hospitality here in this happy land is raised out of the narrow circle of private virtue into political wisdom. As you, gentlemen, are the representatives of your people, so the people of the United States at large are representative of European humanity—a congregation of nations assembled in the hospitable hall of American liberty. Your people is linked to Europe, not only by the common tie of manhood,—not only by the communicative spirit of liberty,—not

Louis Kossuth. Hungarian patriot. Born Monok, Hungaria, April 27, 1822; died at Turin, Italy, March 20, 1894; became president of the Hungarian Republic in 1849; after its overthrow by Austria and Russia, he fled the country and visited England and the United States.

only by commercial intercourse, but by the sacred ties of blood. The people of the United States is Europe transplanted to America. And it is not Hungary's woes alone—it is the cause of all Europe which I am come to plead. Where was ever a son, who in his own happy days could indifferently look at the sufferings of his mother, whose heart's blood is running in his very veins? And Europe is the mother of the United States.

I hope to God that the people of this glorious land is, and will ever be, fervently attached to this, their free, great, and happy home. I hope to God that whatever tongue they speak, they are and will ever be American and nothing but American. And so they must be, if they will be free—if they desire for their adopted home greatness and perpetuity. Should once the citizens of the United States cease to be Americans, and become again English, Irish, German, Spanish, Italian, Danish, Swedish, French, America would soon cease to be what it is now—freedom elevated to the proud position of a power on earth.

But while I hope that all the people of the United States will never become anything but Americans, and that even its youngest adopted sons, though fresh with sweet home recollections, will know here no South, no North, no East, and no West—nothing but the whole country, the common nationality of freedom—in a word, America; still I also know that blood is blood—that the heart of the son must beat at the contemplation of his mother's sufferings. These were the motives of my confident hope. And here in this place I have the happy right to say, God the Almighty is with me; my hopes are about to be realized. Sir, it is a gratifying view to see how the generous sympathy of individuals for the cause which I respectfully plead is rising into public opinion. But nowhere had I the happy lot to see this more clearly expressed than in this great commonwealth of Pennsylvania, the mighty *"Keystone* State" of the Union. The people of Harrisburg spoke first: no city before had so distinctly articulated the public sympathy into acknowledged principles. It has framed the sympathy of generous instinct into a political shape. I will forever remember it with fervent gratitude. Then came the metropolis [Philadelphia],—a hope and a consolation by its very name to the oppressed,—the sanctuary of American independence, where the very bells speak prophecy—which is now sheltering more inhabitants than all Pennsylvania did, when, seventy-five years ago, the prophetic bell of Independence Hall announced to the world that free America was born; which now, with the voice of thunder, will, I hope, tell the world that the doubtful life of that child has unfolded itself into a mighty power on earth. Yes, after Harrisburg, the metropolis spoke, a flourishing example of freedom's self-developing energy; and after

the metropolis, now so mighty a center of nations, and fit ally of international law—next came Pittsburg, the immense manufacturing workshop, alike memorable for its moral power and its natural advantages, which made it a link with the great valley of the West, a cradle of a new world, which is linked in its turn to the old world by boundless agricultural interests. And after the people of Pennsylvania have thus spoken, here now I stand in the temple of this people's sovereignty, with joyful gratitude acknowledging the inestimable benefits of this public reception, wherewith the elected of Pennsylvania, intrusted with the legislative and executive power of the sovereign people, gather into one garland the public opinion, and with the authority of their high position announce loudly to the world the principles, the resolution, and the will of the two millions of this great commonwealth. Sir, the words your Excellency has honored me with will have their weight throughout the world. The jeering smile of the despots, which accompanied my wandering, will be changed, at the report of these proceedings, to a frown which may yet cast fresh mourning over families, as it has over mine; nevertheless, the afflicted will wait to be consoled by the dawn of public happiness. From the words which your Excellency spoke, the nations will feel double resolution to shake off the yoke of despotism. The proceedings of to-day will, moreover, have their weight in the development of public opinion in other States of your united republic. Governor! I plead no dead cause. Europe is no corpse; it has a future yet, because it wills. Sir, from the window of your room, which your hospitality has opened to me, I saw suspended a musket and a powder horn, and this motto—"Material Aid." And I believe that the Speaker of the House of Representatives of Pennsylvania is seated in that chair whence the Declaration of American Independence was signed. The first is what Europe wants in order to have the success of the second. Permit me to take this for a happy augury; and allow me with the plain words of an honest mind to give you the assurance of my country's warm, everlasting gratitude, in which, upon the basis of our restored independence, a wide field will be opened to mutual benefit by friendly commercial intercourse, ennobled by the consciousness of imparted benefit on your side, and by the pleasant duty of gratitude on the side of Hungary, which so well deserves your generous sympathy.

§ 75

TRIBUTE TO WASHINGTON IRVING

By Charles Dickens

(Response at the banquet given in his honor during his first visit to America, New York City, February 18, 1842. Washington Irving presided at the banquet.)

GENTLEMEN: I don't know how to thank you—I really don't know how. You would naturally suppose that my former experience would have given me this power, and that the difficulties in my way would have been diminished; but I assure you the fact is exactly the reverse, and I have completely balked the ancient proverb that "a rolling stone gathers no moss"; and in my progress to this city I have collected such a weight of obligations and acknowledgment—I have picked up such an enormous mass of fresh moss at every point, and was so struck by the brilliant scenes of Monday night, that I thought I could never by any possibility grow any bigger. I have made continually new accumulations to such an extent that I am compelled to stand still, and can roll no more!

Gentlemen, we learn from the authorities, that, when fairy stones, or balls, or rolls of thread, stopped at their own accord—as I do not—it presaged some great catastrophe near at hand. The precedent holds good in this case. When I have remembered the short time I have before me to spend in this land of mighty interests, and the poor opportunity I can at best have of acquiring a knowledge of, and forming an acquaintance with it, I have felt it almost a duty to decline the honors you so generously heap upon me, and pass more quietly among you. For Argus himself, though he had but one mouth for his hundred eyes, would have found the reception of a public entertainment once a week too much for his greatest activity; and, as I would lose no scrap of the rich instruction and the delightful knowledge which meet me on every hand (and already I have gleaned a great deal from your hospitals and common jails),—I have resolved to take up my staff, and go my way rejoicing, and for the future to shake hands with America, not at parties but at home; and, therefore, gentlemen, I say to-night, with a full heart, and an honest purpose, and grateful feelings, that I bear, and shall ever bear, a deep sense of your kind, your affectionate and your noble greet-

CHARLES DICKENS. English novelist. Born February 7, 1812, at Landport, England. Died on June 9, 1870, at Highan, England.

ing, which it is utterly impossible to convey in words. No European sky without, and no cheerful home or well-warmed room within, shall ever shut out this land from my vision. I shall often hear your words of welcome in my quiet room, and oftenest when most quiet; and shall see your faces in the blazing fire. If I should live to grow old, the scenes of this and other evenings will shine as brightly to my dull eyes fifty years hence as now; and the honors you bestow upon me shall be well remembered and paid back in my undying love, and honest endeavors for the good of my race.

Gentlemen, one other word with reference to this first person singular, and then I shall close. I came here in an open, honest, and confiding spirit, if ever man did, and because I felt a deep sympathy in your land; had I felt otherwise, I should have kept away. As I came here, and am here, without the least admixture of one-hundredth part of one grain of base alloy, without one feeling of unworthy reference to self in any respect, I claim, in regard to the past, for the last time, my right in reason, in truth, and in justice, to approach, as I have done on two former occasions, a question of literary interest. I claim that justice be done; and I prefer this claim as one who has a right to speak and be heard. I have only to add that I shall be as true to you as you have been to me. I recognize, in your enthusiastic approval of the creatures of my fancy, your enlightened care for the happiness of the many, your tender regard for the afflicted, your sympathy for the downcast, your plans for correcting and improving the bad, and for encouraging the good; and to advance these great objects shall be, to the end of my life, my earnest endeavor, to the extent of my humble ability. Having said thus much with reference to myself, I shall have the pleasure of saying a few words with reference to somebody else.

There is in this city a gentleman who, at the reception of one of my books—I well remember it was "The Old Curiosity Shop"—wrote to me in England a letter so generous, so affectionate, and so manly, that if I had written the book under every circumstance of disappointment, of discouragement, and difficulty, instead of the reverse, I should have found in the receipt of that letter my best and most happy reward. I answered him, and he answered me, and so we kept shaking hands autographically, as if no ocean rolled between us. I came here to this city eager to see him, and [laying his hand upon Irving's shoulder] here he sits! I need not tell you how happy and delighted I am to see him here to-night in this capacity.

Washington Irving! Why, gentlemen, I don't go upstairs to bed two nights out of the seven—as a very creditable witness near at hand can testify—I say I do not go to bed two nights out of the seven without

taking Washington Irving under my arm; and, when I don't take him I take his own brother, Oliver Goldsmith. Washington Irving! Why, of whom but him was I thinking the other day when I came up by the Hog's Back, the Frying Pan, Hell Gate, and all these places? Why, when, not long ago, I visited Shakespeare's birthplace, and went beneath the roof where he first saw light, whose name but his was pointed out to me upon the wall? Washington Irving—Diedrich Knickerbocker—Geoffrey Crayon—why, where can you go that they have not been there before? Is there an English farm—is there an English stream, an English city, or an English country-seat, where they have not been? Is there no Bracebridge Hall in existence? Has it no ancient shades or quiet streets?

In bygone times, when Irving left that Hall, he left sitting in an old oak chair, in a small parlor of the Boar's Head, a little man with a red nose, and an oilskin hat. When I came away he was sitting there still! —not a man like him, but the same man—with the nose of immortal redness and the hat of an undying glaze! Crayon, while there, was on terms of intimacy with a certain radical fellow, who used to go about, with a hatful of newspapers, woefully out at elbows, and with a coat of great antiquity. Why, gentlemen, I know that man—Tibbles the elder, and he has not changed a hair; and, when I came away, he charged me to give his best respects to Washington Irving!

Leaving the town and the rustic life of England—forgetting this man, if we can—putting out of mind the country churchyard and the broken heart—let us cross the water again, and ask who has associated himself most closely with the Italian peasantry and the bandits of the Pyrenees? When the traveler enters his little chamber beyond the Alps —listening to the dim echoes of the long passages and spacious corridors—damp, and gloomy, and cold—as he hears the tempest beating with fury against his window, and gazes at the curtains, dark, and heavy, and covered with mold—and when all the ghost-stories that ever were told come up before him—amid all his thick-coming fancies, whom does he think of? Washington Irving.

Go farther still: go to the Moorish fountains, sparkling full in the moonlight—go among the water-carriers and the village gossips living still as in days of old—and who has traveled among them before you, and peopled the Alhambra and made eloquent its shadows? Who awakes there a voice from every hill and in every cavern, and bids legends, which for centuries have slept a dreamless sleep, or watched unwinkingly, start up and pass before you in all their life and glory?

But leaving this again, who embarked with Columbus upon his gallant ship, traversed with him the dark and mighty ocean, leaped upon the

land and planted there the flag of Spain, but this same man, now sitting by my side? And being here at home again, who is a more fit companion for money-diggers? And what pen but his has made Rip Van Winkle, playing at nine-pins on that thundering afternoon, as much part and parcel of the Catskill Mountains as any tree or crag that they can boast?

But these are topics familiar from my boyhood, and which I am apt to pursue; and lest I should be tempted now to talk too long about them, I will, in conclusion, give you a sentiment, most appropriate, I am sure, in the presence of such writers as Bryant, Halleck, and—but I suppose I must not mention the ladies here—"The Literature of America." She well knows how to do honor to her own literature and to that of other lands, when she chooses Washington Irving for her representative in the country of Cervantes. [Applause.]

§ 76

"THE RETURN OF THE NATIVE"

By James Russell Lowell

(Speech in response to a welcome home at the annual Ashfield Dinner at Ashfield, Mass., August 27, 1885—the harvest-time festival in behalf of Sanderson Academy. Mr. Lowell had recently returned from his post as Minister to England.)

Mr. President, Ladies and Gentlemen: I cannot easily escape from some strength of emotion in listening to the words of my friend who has just sat down, unless I receive it on the shield which has generally been my protection against many of the sorrows and some of the hardships of life. I mean the shield of humor, and I shall, therefore, take less seriously than playfully the portrait that he has been kind enough to draw of me. It reminds me of a story I once heard of a young poet, who published his volume of verses and prefixed to it his own portrait drawn by a friendly artist. The endeavor of his life from that time forward was to look like the portrait that his friend had drawn. [Applause.] I shall make the same endeavor.

It is a great pleasure to me to come here to-day, not only because I

James Russell Lowell. Poet and essayist. Born at Cambridge, Mass., February 22, 1819, and died there August 12, 1891; graduated from Harvard in 1838; in 1855 became Professor of Modern Languages at Harvard; was for some time editor of the *Atlantic Monthly*, and the *North American Review;* in 1877 he was appointed United States Ambassador to Spain; Minister to Great Britain, 1880-1885.

have met some of the oldest friends of my life, but also that after having looked in the eyes of so many old English audiences I see face to face a new English one, and when I looked at them I was reminded of a family likeness and of that kinship of blood which unites us. When I look at you I see many faces that remind me of faces I saw on the other side of the water, and I feel that whether I speak there or here I am essentially speaking to one people. I am not going to talk about myself, and I am not going to make a speech. I have spoken so often for you on the other side of the water that I feel as though I had a certain claim, at least, to be put on the retired list. But I could not fail to observe a certain distrust of America that has peeped out in remarks made, sometimes in the newspapers, sometimes to myself, as to whether a man could live eight years out of America, without really preferring Europe. It seems to me to imply what I should call a very unworthy distrust in the powers of America to inspire affection. I feel to-day, in looking in your faces, somewhat as I did when I took my first walk over the hills after my return, and the tears came into my eyes as I was welcomed by the familiar wayside flowers, the trees, the birds that had been my earliest friends.

It seems to me that those who take such a view quite miscalculate the force of the affection that a man feels for his country. It is something deeper than a sentiment. If there were anything deeper, I should say it was something deeper than an instinct. It is that feeling of self-renunciation and of identification with another which Ruth expressed when she said: "Entreat me not to leave thee nor to depart from following after thee, for whither thou goest I will go: where thou livest I will live, and where thou diest there will I die also." That, it seems to me, is the instinctive feeling that a man has. At the same time, this does not exclude the having clear eyes to see the faults of one's country. I think that, as an old President of Harvard College said once to a person who was remonstrating with him: "But charity, doctor, charity." "Yes, I know; but charity has eyes and ears and won't be made a fool of." [Laughter.]

I notice a good many changes in coming home, a few of which I may, perhaps, be allowed to touch upon. I notice a great growth in luxury, inevitable, I suppose, and which may have good in it—more good, perhaps, than I can see. I notice, also, one change that has impressed me profoundly, and when I hear that New England is drawing away, I cannot help thinking to myself how much more prosperous the farms look than they did when I was young; how much more neat is the farming, how much greater the attention to what will please the eye about the farm, as the planting of flowers and trimming the grass, which

seems to me a very good sign. I had an opportunity, by a strange accident, of becoming very intimate with the outward appearance of New England during my youth by going about when a little boy with my father when he went on exchanges. He always went in his own vehicle, and he sometimes drove as far west as Northampton. I do not wish to detain you on this point, except as it interested me and is now first in my mind.

While I was in England I had occasion once to address them on the subject of Democracy, and I could not help thinking when I came up here that I was coming to one of its original sources, for certain it is that in the village community of New England, in its "plain living and high thinking," began that social equality which afterwards developed on the political side into what we call Democracy. And Democracy—while surely we cannot claim for it that it is perfect—yet Democracy, it seems to me, is the best expedient hitherto invented by mankind, not for annihilating distinctions and equalities, for that is impossible, but, so far as it is humanly possible, for compensating them. Here in our little towns in the last century, people met without thinking of it on a high table-land of common manhood. There was no sense of presumption from below, there was no possibility of condescension from above, because there was no above and below in the community. Learning was always respected in the clergyman, in the doctor, in the squire, the justice of the peace, and the rest of the community. This made no artificial distinction.

I observe, also, that our people are getting over their very bad habit with regard to politics, for Democracy, you must remember, lays a heavier burden on the individual conscience than any other form of government; and I have been glad to observe that we have been getting over that habit of thinking that our institutions will go of themselves. Now it seems to me that there is no machine of human construction, or into which the wit of man has entered, that can go of itself without supervision, without oiling; that there are no wheels which will revolve without our help, except the great wheel of the constellations or that great circle of the sun's which has its hand upon the dial plate, and which was made by a hand much less fallible than ours.

It also pleases me very much to see a friend whose constancy, whose faith, and whose courage have done so much more than any other man's to bring about that reform [great applause], though when I speak of civil service reform the friend who stands at our elbow on all these occasions will suggest to me a certain parallel, that is, that as Mr. Curtis is here to-day and I am here to-day, it reminds one of the temperance lecturer who used to go about carrying with him an unhappy person as

the awful example [great laughter], and it may have flickered before some of your minds that I was the "awful example" of the very reform I had preached. However, I say that it is to me a very refreshing thing to find that this old happy-go-lucky feeling about our institutions has a very good chance of passing away.

One thing which always impressed me on the other side of the water as an admirable one, and as one which gave them a certain advantage over us, is the number of men who train themselves specifically for politics, for government. We are apt to forget over here that the art of governing men, as it is the highest, so it is the most difficult, of all arts. We are particular how our boots are made, but about our constitutions we "trust in the Lord," without even, as Cromwell advised, keeping our powder dry. We commit the highest destinies of this Republic, which some of us hope bears the hope of the world in her womb —to whom? Certainly not always to those who are most fit on any principle of natural selection: certainly, sometimes to those who are most unfit on any principle of selection,—and this is a very serious matter, for if you will allow me to speak with absolute plainness, no country that allows itself to be governed for a moment by its blackguards is safe. [Applause.] That was written before the United States of America existed. It is one of the truths of human nature and of destiny. If I were a man who had any political aspiration,—which, thank Heaven, I have not,—if I had any official aspiration—which, thank Heaven, also, I have not,—I should come home here, and when I first met an American audience I should say to them: My friends, America can learn nothing of Europe; Europe must come to school here. You have the tallest monument, you have the biggest waterfall, you have the highest tariff of any country in the world. [Great laughter and applause.] I would tell you that the last census showed that you had gained so many millions, as if the rabbits did not beat us in that way of multiplication, as if it counted for anything! It seems to me that what we make of our several millions is the vital question for us.

I was very much interested in what Prof. Stanley Hall said. I am heretic enough to have doubted whether our common schools are the panacea we have been inclined to think them. I was exceedingly interested in what he said about the education which a boy gained on the hills here. It seems to me we are going to fall back into the easy belief that because our common schools teach more than they used—and in my opinion much more than they ought—we can dispense with the training of the household. When Mr. Harrison [J. P. Harrison, author of "Some Dangerous Tendencies in American Life," one of the preceding speakers] was telling us of the men who were obliged to labor

without hope from one end of the day to the other, and one end of the year to the other, he added, what is quite true—that, perhaps, after all, they are happier than that very large class of men who have leisure without culture, and whose sole occupation is either the killing of game or the killing of time—that is the killing of the most valuable possession that we have.

But I will not detain you any longer for, as I did say, I did not come here to make a speech, and I did not know what I was going to say when I came. I generally, on such occasions, trust to the spur of the moment, and sometimes the moment forgets its spur. [Laughter and applause.]

CHAPTER XIV

SPEECHES OF PRESENTATION

§ 77

RETURN OF THE FLAGS

By Lew Wallace

(Address delivered at Indianapolis, Ind., July 4, 1866, on the occasion of the return to the State of the colors of all its commands that took part in the Civil War.)

GOVERNOR: The Soldiers' Association of the State have had it in mind to signalize in some especial manner the happy conclusion of the recent Civil War. This they have thought to accomplish by a ceremonious return of the colors with which their respective commands were entrusted: and, not without a dash of poetry, they have chosen this as a proper day for the celebration. For them, therefore, and for the great body of comrades, present and absent, whom they represent, I have the honor to give you back their flags, with the request that measures be taken by the next General Assembly to preserve them forever.

Sir, I shall never forget my first interview with you upon the subject of the war. It was a day or two after the fall of Sumter. The National Government had not recovered from that blow, and we were in nowise better off. You told me that the President had called for six regiments of volunteers from Indiana, and asked me to accept the Adjutant-Generalcy, and help you raise them, and I agreed to. It may be to our shame now, but truth requires the admission that we spoke of the matter then as one of doubt. The President hoped, yet feared, and so did we. Ah, sir, that there should have been a suspicion of our people or a dread that they would fail their Government! Yet had a prophet told us then what proportions the war would assume, what other quotas it would demand, what others exhaust, I much fear we would not have been stout enough to put despair aside.

LEW WALLACE. Born Brookville, Ind., April 10, 1827; attended Wabash College; admitted to bar, 1849; made Colonel, April, 1861; Brigadier-General, September, 1861; Major-General, March, 1862; Governor of New Mexico, 1878-81; United States Minister to Turkey, 1881-1885; author of *The Fair God, Ben Hur,* etc.; died, 1905.

Now, I congratulate you upon the firmness with which you did your duty. I congratulate you also upon having a State whose people never failed their Governor. I return you the colors of thirteen regiments of cavalry, twenty-six batteries, and one hundred and fifty-six regiments of infantry. Have I not reason to congratulate you upon the glory acquired by our native State during your administration—a glory which you in a great part share—a glory which will live always?

Most of the flags I return are grandly historical. I would like to tell their stories separately, because it would so much enhance the renown of the brave men to whom they belonged: that, however, is impossible; time forbids it; or rather it is forbidden by the number of flags. As the next best way to gratify curiosity concerning them, it is arranged that the sacred relics shall each be displayed before the audience, accompanied with a recital of the principal battles in which they figured. Still, I must be permitted to indulge in a kind of recapitulatory reference to them. There may be some citizen present who does not realize how necessary his State was in the great work of suppressing the Rebellion —perhaps some soldier who has yet to learn what a hero he really was.

When the war began, the military fame of Indiana, as you remember, was under a cloud. It was in bad repute, particularly with the Southern people. Why? It is unnecessary to say. Such was the case. I allude to it now to call attention to the fact that those sections in which our repute was worst bear to-day the deepest marks of our armed presence. A little over five years ago on this very spot a gallant regiment was sworn to "Remember Buena Vista"; to-day it can be said, with a truth which the long array of storied flags shortly to be displayed will eloquently attest, the slander of Buena Vista has been more than remembered—it is avenged. By a chance, much grumbled at in the beginning by the soldiers, much complained of by the historian, whose narrative it sadly complicates, our regiments were more scattered than those of any other State. Indeed, it is not too much to say that there has not been in the five years a military department without one or more of them; nor an army corps that has not borne some of them on its rolls; nor a great battle in which some of them have not honorably participated.

As true lovers of our brave native State, let us rejoice at that distribution. It enabled our soldiers to serve the Union everywhere; it enabled them to convince all foemen, as well as friends, of their courage, endurance, and patriotism; it is the means by which the name of Indiana is or will be written upon every battle monument—through its chances every victory, wherever or by whomsoever won, in any degree illustrative of Northern valor, is contributive to her glory.

Three of our regiments took part in the first battle of the war; while

another, in view of the Rio Grande, fought its very last battle. The first regiment under Butler to land at the wharf at New Orleans was the 21st Indiana. The first flag over the bloody parapet at Fort Wagner, in front of Charleston, was that of the 13th Indiana. The first to show their stars from the embattled crest of Mission Ridge were those of the 79th and 86th Indiana. Two of our regiments helped storm Fort McAllister, down by Savannah. Another was amongst the first in the assaulting line at Fort Fisher. Another, converted into engineers, built all of Sherman's bridges from Chattanooga to Atlanta, from Atlanta to the sea, and from the sea northward. Another, in line of battle on the beach of Hampton Roads, saw the frigate *Cumberland* sink to the harbor's bed rather than strike her flag to the *Merrimac;* and, looking from the same place next day, cheered, as never men cheered, at sight of the same *Merrimac,* beaten by a single gun in the turret of Worden's little *Monitor.*

Others aided in the overthrow of the savages, red and rebel, at Pea Ridge, Arkansas. Three from Washington, across the Peninsula, within sight of Richmond evacuated, to Harrison's Landing, followed McClellan to his fathomless fall. Five were engaged in the salvation of Washington at Antietam. Four were with Burnside at Fredericksburg, where some of Kimball's Hoosiers were picked up lying nearer than all others to the pitiless embrasures. Five were at Chancellorsville, where Stonewall Jackson took victory out of Hooker's hand and carried it with him to his grave. Six were almost annihilated at Gettysburg. One, an infantry regiment, marched nearly ten thousand miles; literally twice around the Rebellion, fighting as it went. Four were part of the besom with which Sheridan swept the Shenandoah Valley.

Finally, when Grant, superseding Halleck, transferred his headquarters to the East, and began the last grand march against Richmond, four of our regiments, joined soon after by another, followed him faithfully, leaving their dead all along the way—in the Wilderness, at Laurel Hill, at Spottsylvania, at Po River, at North Anna River, at Bethesda Church, at Cold Harbor, in front of Petersburg, down to Clover Hill—down to the final halt in the war in which Lee yielded up the sword of the Rebellion.

Sir, it is my opinion that our regiments were all equally brave and patriotic; that some achieved a wider distinction than others, was because their opportunities were better and more frequent. Such being my belief, I hope to be forgiven if I stop here and make special mention of the 7th, 13th, 14th, 19th, and 20th regiments. Theirs was a peculiar lot. Throughout the war they served in the East as our representatives. Commanded entirely by Eastern officers, who were naturally less in-

terested in them than in the people of their own States, it was their fate to be little mentioned in reports and seldom if ever heard of in Eastern papers. In fact, they were our lost children; as effectually lost in the mazes of the great Eastern campaigns as De Soto and his people were lost in the wilderness of the New World, and like them again, wandering here and there, never at rest, seldom halting except to fight. The survivors—alas! that they should come back to us so broken and so few—were in the service nearly five years, and of that time they lived quite three years on the march, in the trenches, in rifle-pits, "on the rough edge of battle," or in its very heart.

But, sir, most of the flags returned to you belong to the regiments whose theater of operations cannot well be territorially described; whose lines of march were backward and forward, through fifteen States of the Union.

If one seeks the field in which the power of our State, as well as the valor of our people, had the finest exemplification, he must look to the West and South. I will not say that Indiana's contributions to the cause were indispensable to its final success. That would be unjust to the States more populous and wealthy and equally devoted. But I will say, that her quotas precipitated the result; without them the war might yet be in full progress and doubtful.

Let us consider this proposition a moment. At Shiloh, Indiana had thirteen regiments; at Vicksburg, she had twenty-four; at Stone River, twenty-five; at Chickamauga, twenty-seven; at Mission Ridge, twenty; in the advance from Chattanooga to Atlanta, fifty; at Atlanta, Sherman divided them so that exactly twenty-five went with him down to the sea, while twenty-five marched back with Thomas, and were in at the annihilation of Hood at Nashville. What a record is thus presented! Ask Grant or Rosecrans or Sherman if from the beginning to the end of their operations there was a day for which they could have spared those regiments. No; without them, Bragg might yet be on Lookout Mountain; or Sherman still tilting like a Titan among the gorges of Kenesaw and Resaca; or, worse yet, Halleck, that only one of all our generals who never saw a battle, might be General-in-Chief, waiting for the success at Vicksburg to reduce him to his proper level—chief of an unnamed staff.

I regret that time limits me to such a meager analysis of the services of our soldiers. Still it is enough to challenge inquiry concerning them; enough at least to show how sacred these flags are. I know you will receive them reverently. I know you will do all in your power to have them put where no enemy other than time can get at them. Yet, with shame be it said, there are men who deny their sanctity. We have

neighbors, all of us, who see or affect to see in them nothing but hated symbols of venality, ambition, and murder. God pity such a wretched delusion! The conflict is gone, let us hope never to return; but what a sum of human hopes and promises was involved in it! What a sum of human good will result from it! Its conclusion was a renewal of our liberty—a proclamation of eventual liberty to all mankind—a yielding up forever of that unhallowed thing called Christian slavery.

Put them away tenderly. They are suggestive mementoes of a glorious cause magnificently maintained. They will serve many good purposes yet. In the years to come the soldiers will rally around them, not as formerly called from fitful slumbers by the picket's near alarm, or in the heat and fury of the deadly combat; but in the calm of peace, and in the full enjoyment of all they struggled for. If only from habit, where the flags are the veterans will come; and they will look at them through tear-dimmed eyes, and tell where they flew on such a day; what well-remembered comrades bore them through such a fight; who were wounded; who died under them. If only to make the veterans glad, and enable them, it may be, in old age to renew their youth, and with each other to march their marches and fight their battles over again, I pray you put the holy relics safely away.

Sir, we do not realize the war just ended; we only remember it while in progress; we only think of it by piecemeal. Our most vivid impressions of it are derived from mere incidents. Not merely what is thought of it now, but what has been said and written about it is colored by the misconceptions, prejudices, and partialities of the hour. But this will be changed. The day will come when the volumes of facts now under lock and key and withheld from fear, affection, or policy will be exposed; and there will be historians to collate and refine them, and poets to exalt them, and artists to picture them, and philosophers to analyze their effects upon society, religion, and civilization.

Then, and not until then, will the struggle be wholly realized. Meantime it will grow in the estimation of each succeeding generation, and be continually more and more sanctified. And in those days mementoes will be in request. There are unjeweled swords, not worth the looking at now, that will be fortunes then. Bullets, gleaned by the plowmen from famous fields, will wear shining labels in richest cabinets; and letters, at present not as valuable as old colonial deeds, will then be of inestimable *virtu* because they are originals from the hand of a Lincoln or a Grant, written in the crisis of the great Rebellion. In that day what a treasure will this collection of flags be to our successors! And what pilgrimages there will be to see the tattered, shot-torn, blood-stained fragments which streamed so often with more than a rainbow's beauty through the van-

ished clouds of the dreadful storm! And at sight of them, how men will be reminded of the thousand battles fought; of Shiloh, that tournament to the death in which the vaunting chivalry of the Southwest met for the first time the despised chivalry of the Northwest, and were overthrown in the very midst of a supposed victory; of Vicksburg, that operation the most daring in conception, most perfect in execution, and the most complete in results of modern warfare; of the advance to Atlanta, in which the genius of the general was so well supported by the splendid endurance of the soldier; and of the march to the sea, memorable chiefly as a cold, rigid, retributive triumph in which the horrors of a ruthless progress were so strangely blent with the prayers and blessings of a race raised so sublimely and after such ages of suffering from the plantation to the school, from slavery to freedom, from death to life!

You know, sir, how prone men are in prosperity to forget the pangs of adversity. Ordinarily, what cares the young spendthrift, happy in the waste of his father's fortune, for that father's life of toil and self-denial? It is to be hoped these flags will prevent such indifference on the part of our posterity. Think of them grouped all in one chamber! What descendant of a loyal man could enter it, and look upon them, and not feel the ancestral sacrifices they both attest and perpetuate? And when the foreigner, dreaming, it may be, of invasion or conquest, or ambition, political or military, more dangerous now than all the kings, shall come into their presence, as come they will; though they be not oppressed with reverence, or dumb-stricken with awe, as you and I and others like us may be, doubt not that they will go away wiser than they came; they will be reminded of what the Frenchman had not heard when he landed his legions on the palmy shore of Mexico; of what a ruler of England overlooked when he was willing to make haste to recognize the Rebellion; of what the trained leaders of the Rebellion themselves took not into account when they led their misguided followers into the fields of war; they will be reminded that this people, so given to peace, so devoted to trade, mechanics, agriculture, so occupied with schools and churches and a Government which does their will through the noiseless agency of the ballot-box, have yet when roused a power of resistance sufficient for any need however great; that this nationality, yet in youth's first freshness, is like a hive of human bees—stand by it quietly and you will be charmed by its proofs of industry, its faculty of appliance, its well-ordered labor; but touch it, shake it rudely, menace its population, or put them in fear, and they will pour from their cells an armed myriad whom there is no confronting—or rather that it is like the ocean, beautiful in calm, but irresistible in storm.

Fellow soldiers! Comrades: When we come visiting the old flags,

and take out those more especially endeared to us because under them we each rendered our individual service, such as it was, we will not fail to be reminded of those other comrades—alas! too many to be named—who dropped one by one out of the ranks or the column to answer at roll-call nevermore; whose honorable discharges were given them by fever in the hospital or by a bullet in battle; whose bones lie in shallow graves in the cypress swamp, in the river's deepening bed, in the valley's Sabbath stillness, or on the mountain's breast, blackened now by tempests—human as well as elemental. For their sakes let us resolve to come here with every recurrence of this day, and bring the old colors to the sunlight, and carry them in procession, and salute them martially with roll of drums and thunder of guns. So will those other comrades of whom I speak know that they are remembered at least by us; and so will we be remembered by them.

In the armies of Persia there was a chosen band called the Immortals. They numbered ten thousand; their ranks were always full, and their place was near the person of the king. The old poets sing of this resplendent host as clad in richest armor, and bearing spears pointed with pomegranates of silver and gold. We, too, have our Immortals! Only ours wear uniforms of light, and they number more than ten times ten thousand, and instead of a king to serve, they have for leader and lover that man of God and the people, Lincoln, the martyr. On their rolls shine the heroic names without regard to such paltry distinctions as rank or state. Among them are no officers, no privates! In the bivouacs of Heaven they are all alike Immortals. Of such are Ellsworth, Baker, Wadsworth, Sedgwick and MacPherson. Of such, also, are our own Hackleman, Gerber, Tanner, Blinn, and Carroll, and that multitude of our soldiers who, victims of war, are now "at the front," while we are waiting "in reserve."

§ 78

THE RETURN OF THE MASSACHUSETTS BATTLE FLAGS

By Darius Nash Couch

(Delivered in Boston, Massachusetts, December 22, 1865.)

May It Please Your Excellency: We have come here to-day as the representatives of the army of volunteers furnished by Massachusetts

Darius Nash Couch. Born in South East, Putnam County, N. Y., July 23, 1822; graduated United States Military Academy 1846; served through the Mexican and Civil Wars; made Major-General July 4, 1862; defeated for Governor of Massachusetts 1865; died at Norwalk, Conn., February 12, 1897.

for the suppression of the rebellion, bringing these colors in order to return them to the State which intrusted them to our keeping. You must, however, pardon us if we give them up with profound regret—for these tattered shreds forcibly remind us of long and fatiguing marches, cold bivouacs, and many hard-fought battles. The rents in their folds, the battle-stains on their escutcheons, the blood of our comrades that has sanctified the soil of a hundred fields, attest the sacrifices that have been made, the courage and constancy shown, that the nation might live. It is, sir, a peculiar satisfaction and pleasure to us that you, who have been an honor to the State and nation, from your marked patriotism and fidelity throughout the war, and have been identified with every organization before you, are now here to receive back, as the State custodian of her precious relics, these emblems of the devotion of her sons. May it pleasure your Excellency, the colors of the Massachusetts volunteers are returned to the State.

§ 79

PRESENTING THE PILGRIM STATUE

By Stewart L. Woodford

(Speech as president of the New England Society, presenting the Pilgrim Statue to the City of New York, June 6, 1885.)

To you, Mr. Appleton, and to your fellow-members of the Monument Committee, the New England Society is indebted for the admirable manner in which your task has been performed. To the sculptor our thanks are also due, but while yonder statue stands, it will tell better than words of mine can tell how he has done his work. He has wisely chosen an ideal of the Pilgrim Fathers as his subject—for the Pilgrim was the Puritan of the Puritans.

It is fitting that in this great city, whose population numbers so many of New England's sons, we should raise a memorial to those whose character and principles have so largely made our city what it is. New England men fully recognize and gratefully admit that all nations, all peoples, and tongues make up this city of our homes and love. New York is the product of many forces and of many lands. While we

Stewart L. Woodford. Born New York City, September 3, 1835; graduated from Columbia, 1854; admitted to bar in 1857; made Lieutenant-Colonel in 1862, later Brigadier-General; Lieutenant-Governor of New York, 1867-1869; defeated for Governor in 1870; Congressman from New York, 1873-1874; United States Minister to Spain, 1897-1898; practised law in New York City. Died February 14, 1913.

New Englanders thus praise the work of others, we should be false to our ancestry and to the memories of Plymouth Rock if we did not modestly, good-naturedly, but positively, assert our belief that the work and influence of the Pilgrim and Puritan have done more than all else for this imperial city.

As we look back upon that solitary figure, standing with far-away gaze, as if those searching eyes could pierce through long generations and catch a glimpse of the golden future beyond, our thoughts turn back to another scene in striking contrast to the one around. What a step across the centuries from the desolation of Plymouth Rock to this Central Park on this glorious June day! We seem for one moment to stand on New England's rugged coast and greet a band of homeless exiles. All honor to our Pilgrim forefathers who, listening to the higher voices, obeyed the commands of conscience, and, leaving home and country for duty's sake, "sailed with God the seas." The past fades, and we are back in this busy, breathing present. New York is around us. Only yonder statue is before us. The art of the sculptor has made those bronze lips speak. They tell us of heroic endurance, of obedience to the voice of duty, of loyalty to justice, truth, and right. The shadow of Plymouth Rock steals across the centuries. May it not fall over us in vain! Yonder figure stands, as the Pilgrim of old stood, with his back to his friends and flatterers, and with his face to his foes and duty.

We give this statue to the city. Long may the blue skies bend over it, and long may our city prosper and keep its faith in the principles for which the Pilgrim Fathers wrought and lived, suffered and died!

§ 80

PRESENTING THE CHENEY-IVES GATEWAY TO YALE UNIVERSITY

By Henry Johnson Fisher

(Speech on behalf of the class of 1896 at the Yale bicentennial celebration, 1901.)

President Hadley and Yale Men: I am here as a representative of the class of ninety-six, to present to you this gate. In its stone and iron it typifies the rugged manliness of those to whose lasting memory

Henry Johnson Fisher. Born October 30, 1873, in Marion, Ohio; prepared for college at Andover; graduated from Yale in 1896; served in the Spanish-American War; for some time a director and vice-president of Frank A. Munsey Company, publishers; for some time manager of the Crowell Publishing Company; president of the Popular Science Publishing Company; governor of Yale Publishing Association. Residence, Greenwich, Conn.

it has been erected. That is our wish. To you who are now gathered beneath these elms, and to those Yale men who shall follow after us, we wish this memorial to stand first of all for the manhood and courage of Yale. In the evening shadows the softer lights may steal forth and infold it, but through the daylight hours of toil and accomplishment let the sun shine down upon it, and bring out each line of strength, that every Yale man may be imbued with that dauntless spirit which inspired these two sons of Yale in their lives and in their deaths.

We do not wish you merely to stand before this memorial and gaze upon it as a monument. We want every one of you, whether graduate at Commencement time or undergraduate in term time, to come to it and to sit upon its benches, just as we of ninety-six shall come to it during the advancing years, and, in the coming, keep always alive in our hearts the spirit of these two who did their work and held their peace, and had no fear to die. That is the lesson these two careers are singularly fitted to teach us. To the one came the keenest disappointment which can come to a soldier, the disappointment of staying behind, and after that the toil, the drudgery, and the sickness,—all bravely borne. To the other it was given to meet death with that steadfast courage which alone avails to men who die in the long quiet after the battle. It is no new service these two have given to Yale. Looking back to-day through the heritage of two centuries, these names are but added to the roll of those who have served Yale because they have served their country.

The stone and iron of this gate will keep alive the names of these two men. It is our hope that the men of Yale will, in their own lives, perpetuate their manhood and courage.

CHAPTER XV

SPEECHES OF ACCEPTANCE

§ 81

ACCEPTANCE OF THE BATTLE FLAGS

By John Albion Andrew

(Address delivered in response to Major-General Couch, upon delivering the flags of the hundred Massachusetts regiments and batteries, December 22, 1865, by Governor Andrew.)

General: This pageant, so full of pathos and of glory, forms the concluding scene in the long series of visible actions and events in which Massachusetts has borne a part for the overthrow of rebellion and the vindication of the Union.

These banners return to the government of the Commonwealth through welcome hands. Borne, one by one, out of this Capitol during more than four years of civil war as the symbols of the nation and the Commonwealth, under which the battalions of Massachusetts departed to the field, they come back again, borne hither by surviving representatives of the same heroic regiments and companies to which they were intrusted.

At the hands, General, of yourself, the ranking officer of the volunteers of the Commonwealth (one of the earliest who accepted a regimental command under appointment of the governor of Massachusetts) and of this grand column of scarred and heroic veterans who guard them home, they are returned with honors becoming relics so venerable, soldiers so brave, and citizens so beloved.

Proud memories of many a field; sweet memories alike of valor and friendship; sad memories of fraternal strife; tender memories of our fallen brothers and sons, whose dying eyes looked last upon their flaming folds; grand memories of heroic virtues sublimed by grief; exultant memories of the great and final victory of our country, our Union, and the righteous cause; thankful memories of a deliverance wrought out

John Albion Andrew. Born at Windham, Me., May 31, 1818; died at Boston Mass., October 30, 1867; admitted to the bar in 1840; Massachusetts State Senator, 1858-60; Governor of Massachusetts, 1860-1866.

for human nature itself, unexampled by any former achievement of arms—immortal memories with immortal honors blended, twine around these splintered staves, weave themselves along the warp and woof of these familiar flags, war-worn, begrimed, and baptized with blood. Let "the brave heart, the trusty heart, the deep, unfathomable heart," in words of more than mortal eloquence, uttered though unexpressed, speak the emotions of grateful veneration for which these lips of mine are alike too feeble and unworthy.

General, I accept these relics in behalf of the people and the government. They will be preserved and cherished amid all the vicissitudes of the future as mementoes of brave men and noble actions.

§ 82

ACCEPTANCE OF THE CHENEY-IVES GATEWAY

By Arthur Twining Hadley

(Speech at the Yale bicentennial celebration, 1901.)

Of all the memorials which are offered to a university by the gratitude of her sons, there are none which serve so closely and fully the purposes of her life as those monuments which commemorate her dead heroes. The most important part of the teaching of a place like Yale is found in the lessons of public spirit and devotion to high ideals which it gives. These things can in some measure be learned in books of poetry and of history. They can in some measure be learned from the daily life of the college and the sentiments which it inculcates. But they are most solemnly and vividly brought home by visible signs, such as this gateway furnishes, that the spirit of ancient heroism is not dead, and that its highest lessons are not lost.

It seems as if the bravest and best in your class, as well as in others, had been sacrificed to the cruel exigencies of war. But they are not sacrificed. It is through their death that their spirit remains immortal. It is through men like those whom we have loved, and whom we here commemorate, that the life of the republic is kept alive. As we have learned lessons of heroism from the men who went forth to die in the Civil War, so will our children and our children's children learn the same lesson from the heroes who have a little while lived with us and then entered into an immortality of glory.

See page 672.

§ 83

ACCEPTING A CHAIR

By William Ewart Gladstone

(Speech delivered in accepting a chair from the Liberals of the borough of Greenwich, August, 1881.)

Mr. Chairman and Gentlemen: I am sure you will think I shall best discharge my duty if upon this occasion I confine myself to the briefest expression of thanks for this last and newest favor which the constituency of Greenwich has conferred upon me. The former favors have not been, and cannot be, forgotten; and, although our political connection as constituency and representative has been dissolved, yet you may rely upon it that my interest in your welfare, which was enhanced by that connection, can never disappear. I thank you greatly for this new mark of your enduring kindness. I accept it with peculiar joy and pleasure on this auspicious day, in the presence of Lord Granville, Lord Hartington, and all those colleagues to whose powerful coöperation it is that I owe my being able to appear before you with the conviction that I have not disgraced the functions with which, in common with them, I am charged.

The events of the session hardly form a fitting topic for me to dwell upon. They have been remarkable in many respects. They have been remarkable, perhaps, for the difficulty in the midst of which our duties have been discharged; but they have been remarkable above all things, perhaps, for this, that they have brought into view a new and great necessity—a necessity in which the people of England will feel the keenest interest—the necessity of restoring the House of Commons to its position as the great security for your liberties and for enabling legislation to be carried on in its full efficiency. That duty, gentlemen, is one which is indeed for a future year, but, you may rely upon it, it is one to which we shall address ourselves when the opportunity arises—I will not say with all the power which it demands, but at any rate with all the zeal and earnestness which so great a cause can inspire. Great

William E. Gladstone. Born at Liverpool, England, December 29, 1809; died at Hawarden Castle, Wales, May 19, 1898; educated at Eton and Oxford, where he graduated in 1831; entered Parliament in 1833; in 1845 became Secretary of State for the Colonies; in 1847 changed from the Conservative to the Liberal party; in 1865 became Chancellor of the Exchequer; held various important government positions; Prime Minister, 1869-1873, 1880-1885, 1893-94.

is the interest connected with separate subjects of legislation, but greater still, and paramount, is the interest which must be awakened in your minds by a matter which touches vitally the condition of the great organ of all our legislation—that noble representative assembly which has served as a pattern to the representative assemblies of the world, and which has done more than any of them, perhaps more than all of them, to cherish the aspirations of freedom and to maintain the traditions of law and order among the whole of civilized mankind.

Gentlemen, permit me to offer you my most grateful thanks for this renewed token of your kindness, and to express the hope that until I deliver over into other and worthier hands the charge that now rests upon me, I may do nothing to forfeit your favor, or betray the confidence which you have been pleased to repose in me.

§ 84

ACCEPTING A PORTFOLIO

By William Cullen Bryant

(Accepting a portfolio on his seventieth birthday, November 3, 1864.)

Allow me, through you, as one of their representatives, to return to the artists of the "Century" my best acknowledgments for the superb gift they have made me. I have no title to it but their generosity, yet I rejoice to possess it, and shall endeavor to preserve it as long as I live.

Among the artists of the country are some of my oldest and best friends. In their conversation I have taken great delight, and derived from it much instruction. In them the love and the study of nature tend to preserve the native simplicity of character, to make them frank and ingenuous, and divert their attention from selfish interests. I shall prize this gift, therefore, not only as a memorial of the genius of our artists, in which respect alone it possesses a high value, but also as a token of the good-will of a class of men for whom I cherish a particular regard and esteem.

See page 664.

PART FOUR

PULPIT

CHAPTER XVI

SERMONS

§ 85

THE CHURCH AND THE AGE

By John Ireland

(Sermon by Archbishop Ireland of St. Paul, preached at the Roman Catholic Cathedral of Baltimore, October 18, 1893, on the occasion of the twenty-fifth anniversary of the consecration of Cardinal Gibbons as Bishop of Baltimore.)

Five and twenty years in exalted office, a bishop, a chieftain among bishops, in the Catholic Church, in America, in the latter days of this nineteenth century of the Christian era! Great the opportunities and weighty the responsibilities!

Of those years what would the record be that I, who revere and love the Cardinal Archbishop of Baltimore, would fain write? Would it be that they went by without harm done or good prevented, without blemish or reproach? This, whatever be its value along the dark lines of frail humanity, would be, at best, but the story of the talent wrapped up in napkin folds and securely guarded from misuse. Not this record did Christ expect from His apostles, and from this pulpit I will not speak it.

Would the record be of common duties performed in zeal and loyalty, of useful ministry in blessing and ordaining, in building temples and asylums, in exhorting souls unto their salvation? This would be the story of the ten hundred; it merits no special praise; it teaches no special lesson, and it shall not be my theme this evening.

Let others tell of the many; I would tell of the few. I am tired of the common; I am angry with it. If I am, myself, compelled to plod its wearisome pathways, I wish, at least, to see others shun them; I wish to see men rise far above their fellows, and by their singular thoughts and singular deeds freshen human life and give to it the power to place

John Ireland. Born at Burnchurch, County Kilkenny, Ireland, September 11, 1838; came to America in boyhood and settled in St. Paul, Minn., in 1849; educated at Cathedral School, St. Paul, and in the seminaries of Meximieux and Hyers, France; ordained to the Catholic priesthood in 1861; served during the Civil War as Chaplain of the Fifth Minnesota Regiment; in 1875 was made Bishop of St. Paul; in 1888 Archbishop; died September 26, 1918.

itself in those lofty altitudes where progress is born. The common never puts humanity forward, never begets a great movement; nor does it save humanity when grave peril threatens. The common! We are surfeited with it; it has made our souls torpid and our limbs rigid. Under the guise of goodness it is a curse. The want in the world, the want in the Church, to-day as at other times, but to-day as never before, is men among men, men who see farther than others, rise higher than others, act more boldly than others. They need not be numerous. They never were numerous. But, while the few, they take with them the multitude and save humanity. The one man of sufficient firmness of hand and grandeur of soul saves a whole nation; the one man saves the whole Church.

This evening, it is my privilege to honor a man among men. The record of the Cardinal Archbishop of Baltimore! I speak it with pride and exultation. It is the record I should have traced for the ideal bishop and leader of men in these solemn times through which the Church is passing.

The times are solemn. In no other epoch of history, since the beginning of the Christian era, did changes so profound and so far-reaching take place. Discoveries and inventions have opened to us a new material world. Social and political conditions have been transformed. Intellectual curiosity peers with keenest eye into the recesses of sky and earth. Intellectual ambition, maddened by wondrous successes in many fields, puts on daring pinions and challenges all limitations of knowledge. The human heart is emboldened to the strangest dreams, and frets itself into desperate efforts before all barriers to the fulfilment of its desires. Let all things be new, is the watchword of humanity to-day, and to make all things new is humanity's strong resolve. To this end are pledged its most fierce activities, which, wherever in the realm of man they are put forth, are exemplified in the steam and electricity of the new material creation.

In the midst of times so solemn the Catholic Church moves and works, purposing, under the terms of her charter, to conquer to Christ minds and hearts, individuals and society. Her mission to the world is the same as it has been during nineteen hundred years; but the world has changed and is changing. With the new order have come new needs, new hopes, new aspirations. To conquer the new world to Christ, the Church must herself be new, adapting herself in manner of life and in method of action to the conditions of the new order, thus proving herself, while ever ancient, to be ever new, as truth from heaven is and ever must be.

Now is the opportunity for great and singular men among the sons of God's Church. To-day, routine is fatal; to-day the common is ex-

hausted senility. The crisis demands the new, the extraordinary, and with it the Catholic Church will score the grandest of her victories in the grandest of history's ages.

The Church and the age are at war. I voice the fact with sorrow. Both Church and age are at fault. I explain my words. When I speak of Church and age in conflict one with the other, I take the age as portrayed by many representatives of the age, and I take the Church as portrayed by many representatives of the Church. Church and age, rightly understood, are not at war.

I blame the age. Elated with its material and intellectual successes, it is proud and it exaggerates its powers. It imagines that the natural, which has served it so well, is all sufficient; it tends to the exclusion of the supernatural; it puts on the cloak of secularism. In its worship of the new, it regards whatever is old with suspicion. It asks why its church may not be new, as well as its chemistry, or its biology. A church bearing on her front the marks of nineteen centuries is, in its eyes, out of date and out of place. Pride and thoughtlessness are the evil and misleading characteristics of the age.

I blame the Church. I speak as a Catholic. I know the divine elements in the Church. I have full faith that those elements are at all times guarded by the abiding presence of the Holy Spirit. But I know, also, the human elements in the Church, and I know that upon those human elements much of the Church's weal depends. The Church has had her more brilliant epochs of light and glory, according as pastors and people scanned the world with clearer vision and unsheathed the spiritual sword with greater alacrity. The dependency of the Church upon her human elements is too easily forgotten, although the Church herself authoritatively teaches that undue reliance upon divine grace is a sin of presumption.

I am not afraid to say that, during the century whose sun is now setting, many leaders of thought in the Church have made the mistake of being too slow to understand the new age and too slow to extend to it the conciliatory hand of friendship. They were not without their reasons. The Church, in her divine elements, is unchangeable, supremely conservative; her dread of change, so righteous in a degree, is easily carried beyond its legitimate frontier, and made to cover ground where change is proper. The movements of the age were frequently ushered into existence under most repellent and inauspicious forms. The revolution of 1789, whose waters, rushing and destructive as the maddest mountain torrent, were crested with the crimson of blood, was the loud signal of the new era. The standard bearers of the age often raised aloft the insignia of impiety and of social anarchy. Certain Catholics, indeed, as

Lamennais, sought to establish an alliance between the Church and the age; but they were imprudent in speech, and, in their impatience, they invoked failure upon themselves and discouragement upon their allies. But with all these excuses, churchmen thought and acted too slowly. They failed to grasp the age, to Christianize its aspirations, and to guide its forward march. The age passed beyond them. There were a few Lacordaires, who recognized and proclaimed the duties of the hour: but timid companions abandoned them; reactionaries accused them of dangerous liberalism, of semi-heresy; and they were forced to be silent. The many saw but the vices of the age, which they readily anathematized; its good and noble tendencies they either ignored or denied. For them the age was the dark world against which Christ had warned His followers. The task of winning it to the gospel was a forlorn hope. It was a task to be accomplished only through some stupendous miracle from heaven, and, until the miracle would come, the ministers of Christ must withdraw into winter quarters, sacristies, and sanctuaries, where, surrounded by a small band of chosen souls, they might guard themselves and their friends from the all-pervading contagion. The age, abandoned to itself and to false and mischievous guides, irritated by the isolation and the unfriendliness of the Church, became hardened in its secularism, and taught itself to despise and hate religion. This deplorable condition was prevalent in some countries more than in others; but from none was it wholly absent. The Church had seemingly furled her flag of battle, her flag of victory.

It was a mistake and a misfortune. "Go, teach all nations," Christ had said once for all time. In obedience to this command the first apostles hastened through the Roman Empire, preaching to the sages of Athens on the Hill of Mars, to the patricians and senators of Rome in the courts of emperors, to the slaves in their huts, and the Roman Empire was Christianized. Even if our age had been radically evil and erring, the methods and the zeal of the early apostles would have won it to the Saviour. But, in veriest fact, the present age, pagan as it may be in its language and in its extravagances, is, in its depths, instinct with Christian emotions; it worships unwittingly at Christian shrines, and only awaits the warm contact of Christ's Church to avow itself Christian.

I indicate the opportunity for the great and singular churchman. His work is to bridge the chasm separating the Church from the age, to dispel the mists of prejudice which prevent the one from seeing the other as it is, to bring the Church to the age, and the age to the Church.

Men must be taught that the Church and the age are not hopelessly separated.

The age has, assuredly, its sins and its errors, and these the Church never will condone. But sins and errors are the accidentals, not the essentials, of the age. For my part, I see in the present age one of the mighty unheavals which, from time to time, occur in humanity, producing and signalizing the ascending stages in its continuous progress. Humanity, strengthened by centuries of toil and of reflection, nourished and permeated by principles of Christian truth, is now lifting its whole mass upward to higher regions of light and liberty, and demanding full and universal enjoyment of its God-given rights. All this is praiseworthy; all this is noble and beautiful. This is what we are asked to accept when we are asked to accept the age. When we accept the age, we reserve to ourselves the right to rebuke it for its defects; in accepting it we put ourselves in a position to correct it.

The Church, too, has her accidentals and her essentials. We should distinguish accidentals from essentials; we should be ready, while jealously guarding the essentials, to abandon the accidentals, as circumstances of time and place demand. What the Church at any time was, certain people hold she must ever remain. They do her much harm, making her rigid and unbending, incapable of adapting herself to new and changing surroundings. The Church, created by Christ for all time, lives in every age and is of every age. We find, consequently, in her outward features the variable and contingent. The Church, at one time imperialistic in her political alliances, was, at another, feudalistic; but she never committed herself in principle to imperialism or to feudalism. She spoke Greek in Athens and Latin in Rome, and her sons wore the chlamys or the toga; but she was never confined to Greece or to Italy. In later days she lisped the nascent languages of Goth and Frank, and, in her steppings through their lands, showed not a little of their uncultured bearing and of their unformed civilization; but she was never limited in life and conditions to the life and conditions of Goth or Frank. Her scientific knowledge was scant as that of the epoch; her social legislation and customs, as rude and tentative. She was merely partaking, in her human elements, of the life of her epoch, her divine elements always remaining the self-same. Two or three centuries ago she was courtly and aristocratic under the temporal sway of the Fifth Charles of Spain, or of the Fourteenth Louis of France; but this again was a passing phase in her existence, and at other times she may be as democratic in her demeanor as the most earnest democracy would desire. Her canon law, which is the expression of her adaptability to environment, received the impress, now of Charlemagne, now of Hapsburg or Bourbon edicts; but never was she herself mummified in Justinian or Bourbon molds, and her canon law may be as American as it was Roman, as much the

reflection of the twentieth century as it was of the Middle Ages. Were not all this true, the Church would not be Catholic, as her founder was Catholic, the teacher and Saviour of all ages and of all nations. Let us be as broad and as Catholic in our conception of the Church as Christ was, and we shall have no difficulty in recognizing her fitness to all lands and to all ages—past as well as present, and present and future as well as past.

What! the Church of the living God, the Church of ten thousand victories over pagans and barbarians, over heresies and false philosophies, over defiant kings and unruly peoples—the great, freedom-loving, truth-giving, civilizing Catholic Church—this Church of the nineteenth century afraid of any century! not seeing in the ambitions of the nineteenth century the fervent ebullitions of her own noble sentiments, and in its achievements for the elevation of mankind the germinations of her own Christlike plantings! this Church not eager for the fray, not precipitating herself with love irresistible upon this modern world to claim it, to bless it, to own it for Christ, to foster and encourage its hopes or to rectify and remedy its defects, and with her impetuous arm to lift it to the very summit of its highest aspirations—to which by the Church's aid alone this doubting, quivering, hoping, despairing world can ever attain! Far, far, from Catholics be the chilling, un-Catholic thought!

I preach the new, the most glorious crusade. Church and age! Unite them in the name of humanity, in the name of God.

Church and age! They pulsate alike: the God of nature works in one, the God of supernatural revelation works in the other—in both the self-same God.

Let us note the chief characteristics of the age. The age is ambitious of knowledge. Its searchings know no rest and submit to no limitations. Be it so. The Catholic Church proclaims that all truth, natural as well as supernatural, is from God, and that the mind grows more Godlike as it absorbs truth in more generous proportions. Two sources of knowledge there are, according to Catholic teaching, both from God—the reason of man and the voice of God in revelation. Between reason and revelation there never can be a contradiction; the so-called war between faith and science is a war between the misrepresentations of science and the misrepresentations of faith, or, rather, between the ignorance of some scientists and the ignorance of some theologians. The Church has no fear of natural truth; yea, from it strongest proofs come to her of the truth of supernatural revelation. The discoveries of the age, whether in minute animalcules or in vast fiery orbs, demonstrate God. Through all the laws of the universe they show forth an absolute cause,

all-wise, all-powerful, eternal. The fruits of all historical research, of all social and moral inquiry, give us Christ rising from the dead and raising the world from the dead. They give us Christ's Church as the enduring embodiment of Christ's mission. The knowledge of the age! The age has not a sufficiency of knowledge; and the need of the hour, the duty of the Church, is to stimulate the age to deeper researches, to more extensive surveyings, until it has left untouched no particle of matter that may conceal a secret, no incident of history, no act in the life of humanity, that may solve a problem. The knowledge of the age! The Church blesses it; the Church promotes its onward growth with all her might, with all her light.

It is an age of liberty, civil and political; it is the age of democracy—the people, tired of the unrestricted sway of sovereigns, have themselves become sovereigns, and exercise with more or less directness the power which was primarily theirs by divine ordinance. The age of democracy! The Catholic Church, I am sure, has no fear of democracy, this flowering of her own most sacred principles of the equality, fraternity, and liberty of all men, in Christ and through Christ. These principles are found upon every page of the gospel. From the moment they were first confided to the Church they have been ceaselessly leavening minds and hearts towards the full recognition of the rights and the dignity of man, towards the elevation of the multitude, and the enjoyment of freedom from unnecessary restrictions, and of social happiness mingled with as few sorrows as earth's planet permits. The whole history of the Catholic Church is the record of the enfranchisement of the slave, the curbing of the tyranny of kings, the defense of the poor, of woman, of the people, of all the social entities that pride and passion choose to trample upon. The great theologians of the Church lay the foundations of political democracy which to-day attains its perfect form. They prove that all political power comes from God through the people, that kings and princes are the people's delegates, and that when rulers become tyrants the inalienable right of revolution belongs to the people. The Church is at home under all forms of government. The one condition of the legitimacy of a form of government, in the eyes of the Church, is that it be accepted by the people. The Church has never said that she prefers one form of government above another. But, so far as I may from my own thought interpret the principles of the Church, I say that the government of the people, by the people, and for the people is, more than any other, the polity under which the Catholic Church, the church of the people, breathes air most congenial to her mind and heart.

It is an age of battlings for social justice to all men, for the right of all men to live in the frugal comfort becoming rational creatures. Very

well! Is it not Catholic doctrine that birth into the world is man's title to a sufficiency of the things of the world? Is not the plea for social justice and social well-being the loud outburst of the cry which has ever been going up from the bosom of the Church since the words were spoken by her founder: "Seek first the kingdom of God and His justice and all these things shall be added unto you"? It is not sufficiently understood that the principles which underlie the social movement of the times in its legitimate demands are constantly taught in schools of Catholic theology; as, for instance, the principle which, to the surprise of his fellow-countrymen, Cardinal Manning proclaimed: that in case of extreme necessity, one may use, as far as it is needed to save life, the property of others. We have, of late, been so accustomed to lock up our teachings in seminary and sanctuary that when they appear in active evolution in the broad arena of life they are not recognized by Catholics; nay, are even feared and disowned by them.

It is an age of material progress, of inventions, of the subjugation of nature's forces to the service of man, of the building up of man's empire over all irrational creation. Will the Church condemn the age for this? It is her teaching that the earth was given to man that he dominate over it. Progress along lines of all human activity is the divine ordering. That the stagnation of human energies provoked God's anger, is the lesson of the parable of the talents.

I have described the intellectual attitude which it befits us to assume towards the age. What should our practical relations with it be? Let them be all that the warmest apostolic zeal and the best human prudence counsel. We desire to win the age. Let us not, then, stand isolated from it. Our place is in the world as well as in the sanctuary; in the world, wherever we can prove our love for it or render it a service. We cannot influence men at long range; close contact is needed. Let us be with them in the things that are theirs—material interests, social welfare, civil weal—so that they may be with us in the things that are ours —the interests of religion. Let us be with them because their interests are ours, and ours are theirs, because nature and grace must not be separated.

The age loves knowledge: let us be patrons of knowledge. Let us be the most erudite historians, the most experienced scientists, the most acute philosophers; and history, science, and philosophy will not be divorced from religion. The age demands liberty with good government: let us be models of patriotism, of civic virtue, of loyalty to the country's institutions; and no suspicion will ever rest on us that we are the advocates of buried régimes, the enemies of liberty, civil or political. The age pleads for social justice and the amelioration of the masses:

in social movements let us be most active, most useful; and men will recognize the truth that religion, having the promises of the life to come, has those, too, of the life that is, and, seeing in the Church the friend and the protectress of their terrestrial interests, they will put faith in her pledges of supernatural rewards. The age exults in its material progress, its inventions, and discoveries; let us exult with it and recognize its claims to stupendous achievements; let us, books of history in hand, show to the age that the earliest leaders in modern material progress were sons of the Church; let us embrace every opportunity to work for further victories of mind over matter; and no man will dare speak to the Church a word of reproach in the name of progress.

And in all that we undertake or do, let us labor earnestly and energetically. The world succeeds in its enterprises through tireless perseverance and titanic labors. It is in such wise that we shall succeed in our task. The half-hearted manner in which we evangelize the age deserves and entails failure. Steam and electricity in religion coöperating with divine grace will triumph; old-fashioned, easy-going methods mean defeat. We have not heretofore won the age; let us not put all the blame upon the age.

But I am afraid, one will say, of the opposition that I shall encounter if I speak as you speak this evening, if I act as you advise me to act. Do not, I pray, lose time in thinking of opposition that may come to you. If you dread opposition, you are not "of the seed of those men by whom salvation is brought to Israel." Opposition is sure to come. In every historic transition there are reactionaries, who would feign push back into Erie the waters of Niagara—men, to whom all change is perilous, all innovation damnable liberalism, or, even, rank heresy. Heed them not; pass onward with Christ and His Church.

But the age, another says, is wedded to its idols; it is turned away from the Church and will not listen. The age will listen, if minds and hearts properly attuned speak to it. Men are always convertible to God; the age is convertible to Him. I know as well as you the errors and the evils of the age, and you and I condemn them, even as God and His Church condemn them. I know that movements, holy and legitimate in themselves, are directed towards things false and pernicious, and that by many advocates of the age natural truth is made a protest against revealed religion; liberty becomes license and anarchy, and social justice means the violation of private right to property. Against this misdirection of the movements of the age, Catholics should labor with all their might. But to do so effectively, Catholics must first prove that they are heart and soul in sympathy with the movements themselves, and actively devoted to the advancement of all that is good and true in them.

No one will say that during the nineteenth century Catholics have not, in loud speech and brave acts, made opposition to all the bad tendencies visible in the movements of the age. If, however, their opposition failed to arrest those tendencies, may not the cause be that they did not make clear their love for what is good in the age, while expressing their hatred of what is bad in it? The age believed that it was attacked in all its aims and activities; it regarded as its enemies those who spoke, and it refused to hearken to them. To hold the age to truth and justice, Catholics must be in it and of it; they must be fair to it, recognizing what is good no less than what is bad in it; they must love what is good in it, and work in aid of all its legitimate aspirations.

The Church and the age! Their union is assured. The nineteenth century has seen in its latter days men "by whom salvation is brought to Israel." I name a few: Von Ketteler, of Mayence; Lavigerie, of Carthage; Manning, of Westminster; Gibbons, of Baltimore; Leo, of Rome. Two we especially revere.

Leo, I hail thee, pontiff of thy age, providential chieftain of the Church in a great crisis of her history! How true it is that God has care of His Church! It seemed to be a supreme moment in her life among men. The abyss between her and the age was widening; governments warred against her; peoples distrusted her; the intellectual and social movements of humanity ignored her. Catholics, priests and laymen, terrified and disheartened, isolated themselves from the active world and made of their isolation a rule, almost a dogma. Humanly speaking, the horizon was dark with fateful forebodings. Leo comes to the helm; quickly he discerns the dangers from angry elements, from shoals and breakers, and, under his hand, the ship moves in new courses; she surmounts the highest billows, fearless of their fury; she reaches calm seas, where triumphantly she plows the waters—the peerless queen.

Leo speaks to the age in its own language, and the age understands him. He tells the age what the mind of the Church is in regard to its hopes and aspirations, and the age wonders and admires. He acts, and demands that others act, for the furtherance of those hopes and aspirations under all their legitimate forms, and the age praises and loves the name of Leo.

Leo charges the age to go forward in its discoveries and inventions. He writes: "Because all that is true must of necessity have come from God, whatever of truth human investigation brings out, is recognized by the Church as a reflection of the divine mind. The Church is not opposed to the discovery of new things; she is not opposed to the searching for things that will add to the elegance and the comfort of life: nay rather, the Church, as the enemy of apathy and idleness, ardently

desires that the minds of men be exercised and cultivated and made to produce rich fruits."

He opens to the scholarship of the world the archives of the Vatican, establishes universities in Europe and America, raises the standard of studies in the schools of the Church, and thus strives to place the Church in the van of the world's race for knowledge.

By his encyclical on "The Condition of Labor," he makes himself the pontiff of the workingman; he gives to labor its charter, teaching labor not only its duties, of which it had heard so much, but also its rights, of which it had heard so little. The poor, the oppressed, the masses of the people now know that the Church is with them, not merely as their counselor, but as their defender and their champion.

Leo's encyclical to the Catholics of France tenders to democracy the long-coveted approval of the Church. Empires and monarchies had claimed as exclusively their own the smiles of the Church: these smiles are now bestowed upon the republic, the highest embodiment of popular rights. God be praised that we have lived to know and to love Leo!

In letters, in private conversation, Leo urges bishops, priests, and laymen to be the ambassadors of the Church, to bear in her name to peoples and governments, not the sword of war, but the olive branch of amity and concord. His letters to Decurtins and De Mun are examples of his enlightened zeal. "I try to do everything, everywhere, for the Church," said Leo to me, "and so would I have bishops do, wherever circumstances permit." Nor does Leo restrict for Catholics the lines of action to confraternities and religious associations. In his letters to the Bishop of Grenoble, he counsels Catholics to work for truth and virtue wherever they are allowed to work and with men who, though not themselves Catholics, are led by their good sense and their natural instincts of righteousness to do what is right and to oppose what is evil.

Leo has the courage of his high mission. Pope as he is, he has opponents within the Church; men whose sickly nerves suffer from the vibrations of the ship moving under his hand with accelerated velocity: reactionaries, who think that all the wisdom and all the providential guidance of the Church are with the past; obstinate advocates of self-interest, who place their own views and their own likings above the welfare of the Church of Christ. But, in spite of all opposition, Leo works, and Leo reigns. The Roman Pontificate is to-day invested before governments and peoples with prestige and moral power unknown to it for years; the Church is out upon the broad world, esteemed and listened to as she has not hitherto been in this century. Whole nations are saved! Leo is doing for France what France is unable to do; he is uniting her people, giving to her a durable government, and staying the hand of

religious persecution. Say what some may, such are in France the results of the Papal encyclicals in favor of the Republic.

Leo shows forth in especial splendor the Church's catholicity—her divinely-begotten fitness for all ages and all nations. He withdraws the Church from political and social entanglements, makes her independent of the transient traditions of the past, and sets her before the world radiant in her native beauty and freedom, prepared to embrace and bless the new humanity of the twentieth century, as she embraced and blessed the humanity of preceding centuries, the Church of to-day as of yesterday, the Church of to-morrow as of to-day.

True, much is yet to be done before the union of Church and age is complete; but the work has been begun and is progressing. May Leo live yet many years! May Leo's spirit long dominate in the Vatican! All will then be well. Meanwhile, in America, let us be loyal to Leo, and work as earnestly as he does for the welfare of Church and of humanity, and in full accord with his teachings. We are especially favored by Leo. He lives among us in the person of his chosen friend and representative, one who makes the pontiff known to us as none other could, and who, in the acts and discourses by which he interprets Leo's mind, proves daily to us that Leo is, indeed, the pontiff of the age. The Church and the age! Rome and America! Their intimate union is heralded in the command of Monsignor Satolli to the Catholics of America: "Go forward on the road of progress, bearing in one hand the book of Christian truth—Christ's gospel—and in the other the Constitution of the United States."

Gibbons, of Baltimore: I cannot give to my words the warmth of my heart; I will give to them its sincerity. I have spoken of the providential Pope of Rome. I speak now of the providential Archbishop of Baltimore. Often have I thanked God that in this latter quarter of the nineteenth century Cardinal Gibbons has been given to us as primate, as leader. Catholic of Catholics, American of Americans, a bishop of his age and of his country, he is to America what Leo is to Christendom. Aye, far beyond America does his influence extend. Men's influence is not confined by the frontiers of nations, and Gibbons is European as Manning is American. A special mission is reserved to the American Cardinal. In America, the Church and the age have fairest field to display their activities, and in America more speedily than elsewhere is the problem of their reconciliation to be solved. The world has a supreme interest in this reconciliation, and watches intently the prelate who in America leads the forces of the Church. The name of Cardinal Gibbons lights up the pages of nearly every European book which treats of modern social and political questions. The ripplings of

his influence cross the threshold of the Vatican. Leo, the mighty inspirer of men, is himself not seldom inspired and encouraged by his faithful lieutenants, from whom he asks: "Watchman, what of the night?" And the historic incident of the Knights of Labor, whose condemnation by the Roman Congregations Cardinal Gibbons was able to avert, exercised, I am sure, no small influence upon the preparation of the encyclical, "The Condition of Labor."

But Cardinal Gibbons belongs to America; let him be judged by his work in America.

The work of Cardinal Gibbons forms an epoch in the history of the Church in America. He has made the Church known to the people of America; he has demonstrated the fitness of the Church of America, the natural alliance existing between the Church and the freedom-giving democratic institutions of America. Thanks to him, the scales have fallen from the eyes of non-Catholics; prejudices have vanished. He, the great churchman, is also the great citizen. In him Church and country are united, and the magnetism of the union pervades the whole land, teaching laggard Catholics to love America, teaching well-disposed non-Catholics to trust the Church. Church and country, Church and age, modern aspirations and ancient truths, republican liberty and spiritual princedom—harmonized, drawn into bonds of warm amity, laboring together for the progress and happiness of humanity! How great the mission assigned to Cardinal Gibbons! How precious the work done by him in fulfilment of it!

I need not tell what qualities of mind and heart have brought the reward of success to the labors of Cardinal Gibbons. The nation knows them. He is large-minded; his vision cannot be narrowed to a one-sided consideration of men or things. He is large-hearted; his sympathies are limited only by the frontiers of humanity. He is ready for every noble work—patriotic, intellectual, social, philanthropic, as well as religious—and in the prosecution of it joins hands with laborer and capitalist, with white man and black man, with Catholic, Protestant, and Jew. He is brave; he has the courage to speak and to act according to his convictions; he rejoices when men work with him; he works when men fall away from him. Cardinal Gibbons, the most outspoken of Catholics, the most loyal co-laborer of the Pope of Rome, is the American of Americans. I desire to accentuate his patriotism, for it has been a wondrous factor in his success. We have heard it said that frequent declarations of patriotism are unseeming in loyal citizens, whose silent lives ought to give sufficient evidence of their civic virtue. Then let it be said, too, that frequent declarations of religious faith are not

in place among devoted Christians; then, let the Credo be seldom repeated.

I have spoken my tribute to the Cardinal Archbishop of Baltimore. A wide field remains ungleaned from which others may gather other tributes.

My whole observation of the times, and in particular of this memorable Columbian year, convinces me that the Church has now her season of grace in America, and I often put to myself the anxious question: Will she profit by it? At times my soul sinks downward to the borderland of pessimism. I hate pessimism; I believe it to be one of the worst crimes against God and humanity; it puts an end to progress. Yet it tempts me, when I read in so many souls indifference and inertia, when I hear of the trifles with which soldiers of truth busy themselves, when I perceive the vast crowd looking backward lest they see the eastern horizon purpled by the rays of the new sun, and moving at slowest pace lest perchance they leave the ruts of the past and overtake the world, whose salvation is their God-given mission. But this evening, far from me is pessimism driven. I feel that religion will surely conquer. My soul throbs with hope. For I remember the God above me; I remember the leaders He has given to the Church—in Rome, Leo XIII.; in America, Cardinal Gibbons. What one man can do is wondrous; what could not ten men—a hundred men—do? O Catholic Church, fruitful mother of heroes, give us in unstinted measure men, sons of thy own greatness and of thine own power!

The jubilee of Cardinal Gibbons is not a celebration of song and tinsel; it is a lesson to bishops, priests, and laymen of God's Church in America.

§ 86

SALT

By Henry Van Dyke

(Baccalaureate address delivered at the commencement of Columbia University, June 5, 1898.)

"Ye are the salt of the earth." This figure of speech is plain and pungent. Salt is savory, purifying, preservative. It is one of those superfluities which the great French wit defined as "things that are very necessary." From the very beginning of human history men have set a high value upon salt and sought for it in caves and by the seashore.

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The nation that had a good supply was counted rich. A bag of salt, among the barbarous tribes, was worth more than a man. The Jews prized it especially, because they lived in a warm climate where food was difficult to keep, and because their religion laid particular emphasis on cleanliness, and because salt was largely used in their sacrifices.

Christ chose an image which was familiar when He said to His disciples, "Ye are the salt of the earth." This was his conception of their mission, their influence. They were to cleanse and sweeten the world in which they lived, to keep it from decay, to give a new and more wholesome flavor to human existence. Their function was not to be passive but active. The sphere of its action was to be this present life. There is no use in saving salt for heaven. It will not be needed there. Its mission is to permeate, season, and purify things on earth.

Now, from one point of view, it was an immense compliment for the disciples to be spoken to in this way. Their Master showed great confidence in them. He set a high value upon them. The historian Livy could find nothing better to express his admiration for the people of ancient Greece than this very phrase. He called them *sal gentium,* "the salt of the nations."

But it was not from this point of view that Christ was speaking. He was not paying compliments. He was giving a clear and powerful call to duty. His thought was not that His disciples should congratulate themselves on being better than other men. He wished them to ask themselves whether they actually had in them the purpose and the power to make other men better. Did they intend to exercise a purifying, seasoning, saving influence in the world? Were they going to make their presence felt on earth, and felt for good? If not, they would be failures and frauds. The savor would be out of them. They would be like lumps of rock-salt which has lain too long in a damp storehouse; good for nothing but to be thrown away and trodden under foot; worth less than common rock or common clay, because it will not even make good roads. Men of privilege without power are waste material. Men of enlightenment without influence are the poorest kind of rubbish. Men of intellectual and moral and religious culture, who are not active forces for good in society, are not worth what it costs to produce and keep them. If they pass for Christians they are guilty of obtaining respect under false pretenses. They are meant to be the salt of the earth. And the first duty of salt is to be salty.

This is the subject on which I want to speak to you to-day. The saltiness of salt is the symbol of a noble, powerful, truly religious life. You college students are men of privilege. It costs ten times as much, in labor and care and money, to bring you out where you are to-day, as

it costs to educate the average man, and a hundred times as much as it costs to raise a boy without any education. This fact brings you face to face with a question: Are you going to be worth your salt?

You have had mental training, and plenty of instruction in various branches of learning. You ought to be full of intelligence. You have had moral discipline, and the influences of good example have been steadily brought to bear upon you. You ought to be full of principle. You have had religious advantages and abundant inducements to choose the better part. You ought to be full of faith. What are you going to do with your intelligence, your principle, your faith? It is your duty to make active use of them for the seasoning, the cleansing, the saving of the world. Don't be sponges. Be the salt of the earth.

I. Think, first, of the influence for good which men of intelligence may exercise in the world, if they will only put their culture to the right use. Half the troubles of mankind come from ignorance—ignorance which is systematically organized with societies for its support and newspapers for its dissemination—ignorance which consists less in not knowing things, than in wilfully ignoring the things that are already known. There are certain physical diseases which would go out of existence in ten years if people would only remember what has been learned. There are certain political and social plagues which are propagated only in the atmosphere of shallow self-confidence and vulgar thoughtlessness. There is a yellow fever of literature specially adapted and prepared for the spread of shameless curiosity, incorrect information, and complacent idiocy among all classes of the population. Persons who fall under the influence of this pest become so triumphantly ignorant that they cannot distinguish between news and knowledge. They develop a morbid thirst for printed matter, and the more they read the less they learn. They are fit soil for the bacteria of folly and fanaticism.

Now the men of thought, of cultivation, of reason, in the community ought to be an antidote to these dangerous influences. Having been instructed in the lessons of history and science and philosophy, they are bound to contribute their knowledge to the service of society. As a rule they are willing enough to do this for pay, in the professions of law and medicine and teaching and divinity. What I plead for to-day is the wider, nobler, unpaid service which an educated man renders to society simply by being thoughtful and by helping other men to think. The college men of a country ought to be its most conservative men; that is to say, the men who do most to conserve it. They ought to be the men whom demagogues cannot inflame, nor political bosses pervert. They ought to bring wild theories to the test of reason, and withstand rash experiments with obstinate prudence. When it is proposed, for

example, to enrich the whole nation by debasing its currency, they should be the men who demand time to think whether real wealth can be created by artificial legislation. And if they succeed in winning time to think, the danger will pass—or, rather, it will be transformed into some other danger, requiring a new application of the salt of intelligence. For the fermenting activity of ignorance is incessant, and perpetual thoughtfulness is the price of social safety.

But it is not ignorance alone that works harm in the body of society. Passion is equally dangerous. Take, for instance, a time when war is imminent. How easily and how wildly the passions of men are roused by the mere talk of fighting. How ready they are to plunge into a fierce conflict for an unknown motive, for a base motive, or for no motive at all. Educated men should be the steadiest opponents of war while it is avoidable. But when it becomes inevitable save at cost of a failure in duty and a loss of honor, then they should be the most vigorous advocates of carrying it to a swift, triumphant, and noble end. No man ought to be too much educated to love his country and, if need be, to die for it. The culture which leaves a man without a flag is only one degree less miserable than that which leaves him without a God. To be empty of enthusiasms, and overflowing with criticisms, is not a sign of cultivation, but of enervation. The best learning is that which intensifies a man's patriotism as well as clarifies it. The finest education is that which puts a man in closest touch with his fellow men. The true intelligence is that which acts, not as cayenne pepper to sting the world, but as salt to cleanse and conserve it.

II. Think, in the second place, of the duty which men of moral principle owe to society in regard to the evils which corrupt and degrade it. Of the existence of these evils we need to be reminded again and again, just because we are comparatively clean and decent and upright people. Men who live an orderly life are in great danger of doing nothing else. We wrap our virtue up in little bags of respectability and keep it in the storehouse of a safe reputation. But if it is genuine virtue it is worthy of a better purpose than that. It is fit, nay it is designed and demanded, to be used as salt, for the purifying of human life.

There are multitudes of our fellow men whose existence is dark, confused, and bitter. Some of them are groaning under the burden of want; partly because of their own idleness or incapacity, no doubt, but partly also because of the rapacity, greed, and injustice of other men. Some of them are tortured in bondage to vice, partly by their own false choice no doubt, but partly also for want of guidance and good counsel and human sympathy. Every great city contains centers of moral decay which an honest man cannot think of without horror, pity, and dread.

The trouble is that many honest folk dislike these emotions so much that they shut their eyes, and walk through the world with their heads in the air, breathing a little atmosphere of their own, and congratulating themselves that the world goes very well now. But is it well that the things which eat the heart out of manhood and womanhood should go on in all our great towns?

"Is it well that while we range with Science, glorying in the Time,
City children soak and blacken soul and sense in city slime?

"There, among the glooming alleys, Progress halts on palsied feet;
Crime and hunger cast our maidens by the thousand on the street.

"There the smouldering fire of fever creeps across the rotted floor,
And the crowded couch of incest, in the warrens of the poor."

Even in what we call respectable society, forces of corruption are at work. Are there no unrighteous practices in business, no false standards in social life, no licensed frauds and falsehoods in politics, no vile and vulgar tendencies in art and literature and journalism, in this sunny and self-complacent modern world of which we are a part? All these things are signs of decay. The question for us as men of salt is: What are we going to do to arrest and counteract these tendencies? It is not enough for us to take a negative position in regard to them. If our influence is to be real it must be positive. It is not enough to say, "Touch not the unclean thing." On the contrary, we must touch it, as salt touches decay to check and overcome it. Good men are not meant to be simply like trees planted by rivers of waters, flourishing in their own pride and for their own sake. They ought to be like the Eucalyptus trees which have been set out in the marshes of the Campagna, from which a healthful, tonic influence is said to be diffused to countervail the malaria. They ought to be like the Tree of Paradise, "whose leaves are for the healing of nations."

Where there are good men in business, lying and cheating and gambling should be more difficult, truth and candor and fair dealing should be easier and more popular, just because of their presence. Where there are good men in society, grossness of thought and speech ought to stand rebuked, high ideals and courtliness and chivalrous actions and the desire of fame and all that makes a man, ought to seem at once more desirable and more attainable to everyone who comes into contact with them.

There have been men of this quality in the world. It is recorded of Bernardino of Siena that when he came into the room his gentleness

and purity were so evident that all that was base and silly in the talk of his companions was abashed and fell into silence. Artists like Fra Angelico have made their pictures like prayers. Warriors like the Chevalier Bayard and Sir Philip Sidney and Henry Havelock and "Chinese" Gordon have dwelt amid camps and conflicts as knights of the Holy Ghost. Philosophers like John Locke and George Berkeley, men of science like Newton and Herschel, poets like Wordsworth and Tennyson and Browning, have taught virtue by their lives as well as wisdom by their works. Humanitarians like Howard and Wilberforce and Robert Raikes and Charles Brace have given themselves to noble causes. Every man who will, has it in his power to make his life count for something positive in the redemption of society. And this is what every man of moral principle is bound to do if he wants to belong to the salt of the earth.

There is a loftier ambition than merely to stand high in the world. It is to stoop down and lift mankind a little higher. There is a nobler character than that which is merely incorruptible. It is the character which acts as an antidote and preventive of corruption. Fearlessly to speak the words which bear witness to righteousness and truth and purity; patiently to do the deeds which strengthen virtue and kindle hope in your fellow men; generously to lend a hand to those who are trying to climb upward; faithfully to give your support and your personal help to the efforts which are making to elevate and purify the social life of the world—that is what it means to have salt in your character. And that is the way to make your life interesting and savory and powerful. The men that have been happiest, and the men that are best remembered, are the men that have done good.

What the world needs to-day is not a new system of ethics. It is simply a larger number of people who will make a steady effort to live up to the system that we have already. There is plenty of room for heroism in the plainest kind of duty. The greatest of all wars has been going on for centuries. It is the ceaseless, glorious conflict against the evil that is in the world. Every warrior who will enter that age-long battle may find a place in the army, and win his spurs, and achieve honor, and obtain favor with the great Captain of the Host, if he will but do his best to make life purer and finer for everyone that lives it.

It is one of the burning questions of to-day whether university life and training really fit men for taking their share in this supreme conflict. There is no abstract answer; but every college class that graduates is a part of the concrete answer. Therein lies your responsibility, gentlemen. It lies with you to illustrate the meanness of an education which produces learned shirks and refined skulkers; or to illuminate the per-

fection of an unselfish culture with the light of devotion to humanity. It lies with you to confess that you have not been strong enough to assimilate your privileges; or to prove that you are able to use all that you have learned for the end for which it was intended. I believe the difference in the results depends very much less upon the educational system than it does upon the personal quality of the teachers and the men. Richard Porson was a university man, and he seemed to live chiefly to drink port and read Greek. Thomas Guthrie was a university man, and he proved that he meant what he said:

"I live for those who love me,
For those who know me true,
For the heaven that bends above me,
And the good that I can do;
For the wrongs that need resistance,
For the cause that lacks assistance,
For the future in the distance,
And the good that I can do."

III. It remains only to speak briefly, in the third place, of the part which religion ought to play in the purifying, preserving and sweetening of society. Hitherto I have spoken to you simply as men of intelligence and men of principle. But the loftiest reach of reason and the strongest inspiration of morality is religious faith. I know there are some thoughtful men, upright men, unselfish and useful men, who say that they have no such faith. But they are very few. And the reason of their rarity is because it is immensely difficult to be unselfish and useful and thoughtful, without a conscious faith in God, and the divine law, and the gospel of salvation, and the future life. I trust that none of you are going to try that desperate experiment. I trust that all of you have religion to guide and sustain you in life's hard and perilous adventure. If you have, I beg you to make sure that it is the right kind of religion. The name makes little difference. The outward form makes little difference. The test of its reality is its power to cleanse life and make it worth living; to save the things that are most precious in our existence from corruption and decay; to lend a new luster to our ideals and to feed our hopes with inextinguishable light; to produce characters which shall fulfil Christ's word and be "the salt of the earth."

Religion is something which a man cannot invent for himself, nor keep to himself. If it does not show in his conduct, it does not exist in his heart. If he has just barely enough of it to save himself alone, it is doubtful whether he has even enough for that. Religion ought to bring

out and intensify the flavor of all that is best in manhood, and make it fit, to use Wordsworth's noble phrase,

"For human nature's daily food."

Good citizens, honest workmen, cheerful comrades, true friends, gentlemen—that is what the product of religion should be. And the power that produces such men is the great antiseptic of society, to preserve it from decay.

Decay begins in discord. It is the loss of balance in an organism. One part of the system gets too much nourishment, another part too little. Morbid processes are established. Tissues break down. In their débris all sorts of malignant growths take root. Ruin follows.

Now this is precisely the danger to which the social organism is exposed. From this danger, religion is meant to preserve us. Certainly there can be no true Christianity which does not aim at this result. It should be a balancing, compensating, regulating power. It should keep the relations between man and man, between class and class, normal and healthful and mutually beneficent. It should humble the pride of the rich and moderate the envy of the poor. It should soften and ameliorate the unavoidable inequalities of life, and transform them from causes of jealous hatred into opportunities of loving and generous service. If it fails to do this, it is salt without savor, and when a social revolution comes, as the consequence of social corruption, men will cast out the unsalted religion and tread it under foot.

Was not that what happened in the French Revolution? What did men care for the religion that had failed to curb sensuality and pride and cruelty under the oppression of the old régime, the religion that had forgotten to deal bread to the hungry, to comfort the afflicted, to break every yoke, and let the oppressed go free? What did they care for the religion that had done little or nothing to make men understand and love and help one another? Nothing. It was the first thing that they threw away in the madness of their revolt and trampled in the mire of their contempt.

But was the world any better off without that false kind of religion than with it? Did the French Revolution really accomplish anything for the purification and preservation of society? No, it only turned things upside down, and brought the elements that had been at the bottom to the top. It did not really change those elements, or sweeten life, or arrest the processes of decay. The only thing that can do this is the true kind of religion, which brings men closer to one another by bringing them all near to God.

Some people say that another revolution is coming in our own age and our own country. It is possible. There are signs of it. There has been a tremendous increase of luxury among the rich in the present generation. There has been a great increase of suffering among the poor in certain sections of our coantry. It was a startling fact that nearly six millions of people in 1896 cast a vote of practical discontent with the present social and commercial order. It may be that we are on the eve of a great overturning. I do not know. I am not a prophet, nor the son of a prophet. But I know that there is one thing that can make a revolution needless, one thing that is infinitely better than any revolution; and that is a real revival of religion—the religion that has already founded the hospital and the asylum and the free school, the religion that has broken the fetters of the slave, and lifted womanhood out of bondage and degradation, and put the arm of its protection around the helplessness and innocence of childhood, the religion that proves its faith by its works, and links the preaching of the fatherhood of God to the practice of the brotherhood of man. That religion is true Christianity, with plenty of salt in it which has not lost its savor.

I believe that we are even now in the beginning of a renaissance of such religion, greater than the world has seen since the days of the Reformation. I believe that there is a rising tide of desire to find the true meaning of Christ's teaching, to feel the true power of Christ's life, to interpret the true significance of Christ's sacrifice, for the redemption of mankind. I believe that never before were there so many young men of culture, of intelligence, of character, passionately in earnest to find the way of making their religion speak, not in word only, but in power. I call you to-day, my brethren, to take your part, not with the idle, the frivolous, the faithless, the selfish, the gilded youth, but with the earnest, the manly, the devout, the devoted, the golden youth. I summon you to do your share in the renaissance of religion, for your own sake, for your fellow men's sake, for your country's sake. On this fair Sunday, when all around us tells of bright hope and glorious promise, let the vision of our country, with her perils, with her opportunities, with her temptations, with her splendid powers, with her threatening sins, rise before our souls. What needs she more, in this hour, than the cleansing, saving, conserving influence of right religion? What better service could we render her than to set our lives to the tune of these words of Christ, and be indeed the salt of our country, and through her growing power, of the whole earth? Ah, bright will be the day, and full of glory, when the bells of every church, of every schoolhouse, of every college, of every university, ring with the music of this mes-

sage, and find their echo in the hearts of the youth of America. That will be the chime of a new age.

"Ring in the valiant man and free,
The larger heart, the kindlier hand;
Ring out the darkness of the land,
Ring in the Christ that is to be."

§ 87

THE PERFECT MANHOOD

By Henry Ward Beecher

(Preached in the chapel of the West Point Military Academy, Sunday morning, June 13, 1869, before the graduating class.)

"Till we all come in the unity of the faith, and of the knowledge of the Son of God, unto a perfect man."—Eph. iv. 13.

The apostle, in the preceding verses, has been speaking of the variety of instruments employed in the promulgation of the Gospel. "He gave some, apostles; and some, prophets; and some, evangelists; and some, pastors and teachers." He then states, generally, the object for which they were given—"For the perfecting of the saints; for the work of the ministry; for the edifying of the body of Christ"—the general services of the church. And then, in the passage which I have selected, more particularly he declares, "Till we all come in the unity of the faith, and of the knowledge of the Son of God, unto a perfect man." All churches, all ordinances, all doctrines, all sorts of moral teachers, are ordained for the sake of making perfect men; and Christianity may be said to be, in a general way, *the art of being whole men,* in distinction from partial men, and make-believe men. It is not enough to say that Christianity tends to make men better. It does that; but on the way to something higher. Its aim is to develop a *perfect* manhood. "Till we all come unto a perfect man." And that manhood can never be reached except in Christ Jesus. This is not merely saying that men need divine help in all upward striving—which is strictly true; but it is teaching that human

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nature, developed perfectly, becomes divine. We hold a nature in common with the divine nature. When we can work out from it the accidental, the transient, the local, that which is left is strictly divine—it is like Christ. No man can be divine in scope and degree; but in kind he may. Every oak-tree in the nursery is like the oak-tree of a hundred years. Not in size, but in nature, it is just as much an oak-tree as the biggest. We are not of the divine magnitude, nor of the divine scope, nor of the divine power; but we are of the divine nature. We have common natures—God and we; and these, not by figure, but really.

One must not confound, then, Christianity and religion. Religion is the specific of which Christianity is the generic. The one is simply worship. The other is character. Religion is a partialism—a very noble partialism; but it is the employment of only one part of our nature, namely, that which relates to the divine and the invisible. Christianity, on the other hand, including this, and using it, takes in all the other faculties as well, and seeks, not to make men do right things, this and that, but to create a manhood in men. It would develop perfectly every power of the body, every faculty of the mind, and round out the whole into a perfect man. Religion did not attempt to do that. It does not attempt to do it. Religion teaches men to pray, to worship, to awe, to venerate, to be obedient: but Christianity teaches men to be men all through, doing this, and doing all the other things besides. Religion would frame a just man. Christ would make a whole man. Religion would save a man. Christ would make him worth saving. The noble religion of the Hebrew trained men for an earthly commonwealth. Christ brought in immortality, and trained men for an earthly commonwealth, in order that they might become inhabitants of a higher, a heavenly commonwealth. It was because the full development of mankind required more room, and new and higher formative influences, that there was a new dispensation superinduced upon the former one.

It is to this view of truth that I shall call your attention to-day—namely, *the Christian idea of perfect manhood.*

Consider what the nature of this manhood must be. In some respects, it is already predetermined by the nature of man. It is not a manhood that is to lie outside of the faculties with which we are already endowed. Grace and the divine Spirit certainly recreate us; but they add nothing to the organic nature of men. Perfect manhood will require the harmonious development of all the parts of the human mind and body, as God has already made them. And so, a perfect character is in some sense predetermined. Nothing is superfluous in man. No part too much; nothing too little. No appetite is infixed in our constitution but is useful; no passion that is superfluous; no force, or faculty, or func-

tion, that is not indispensable. The body itself is sacred, whatever men may have thought it necessary to say respecting it. It is to be cherished and to be honored. The great ground instincts of our nature, from which have sprung such infinite mischiefs by their misrule, are nevertheless indispensable conditions of power, and of power in the higher range, too. The social affections, the whole intellectual department, the artistic and the esthetic faculties, the moral and the spiritual sentiments—all these, and each in its rank and degree, are component elements of true Christian manhood. Hear Paul: "I pray God your whole spirit, and soul, and body be preserved blameless, unto the coming of our Lord Jesus Christ." There is breadth for you! Manhood, with him, meant everything that it pleased God to put into the making of a man.

Christianity is not a partialism, the outgrowth of any one age or time: it is the utmost possible development of the race of man, embracing in its history all the past, in its intention the whole boundless future.

Christianity is not designed to lop off, or to dry up. It is not designed to eliminate the faculties, but to give them expansion and power and training, and to make more of them, not less. For self-denial itself, which is commanded, is but an interior discipline by which the higher faculties keep under the lower. There is what is called *crucifying,* and there is what is called *slaying* and *destroying;* but this language is not to be taken as literal. Our business is not to lessen, but to regulate, not to destroy, but to educate and control, everything that it pleases God to give us. There is to be no such ascetic notion as shall attempt to throw out any part of man's nature, as if he would be better without it than with it. There may be the necessity of obliging some part of our nature to express itself less generously and less freely, as a man may be enforced to limit his pride; but no man should destroy his pride. It may be necessary for a man to bring down somewhat the mountain of his firmness—or obstinacy, rather; but no man is good for anything who has not some particle of obstinacy to use upon occasion. It may be necessary for a man to restrict his vanity; but a man who does not love praise is not a full man. It may be necessary for a man to strengthen himself against an undue sympathy and affection; and yet, a man without affection is not a whole man. There is not a single element that goes into the possession of the human mind which leaves a man more a man when it is taken out, any more than the body is made more a body when a muscle, or nerve, or bone is taken out. There is no faculty nor impulse, there is no part of the mental economy that was not adjusted with just as deliberate a view to final richness, as every single stop in the organ. Every part is indispensable. Every part, however,

must come under education, must be coördinated, must be kept in regulated activity, in order that manhood may have infinite variety, sweetness, power, versatility, endurance, and beauty. And one will be struck, in reading the letters of Paul, to see how much he had in mind these four points: First, *totality*—the whole man; next *symmetry*—well-proportioned and balanced excellences; then, *power*—the energetic condition of each several part, and of the completed whole; and lastly, *quality*, or, as it may be called, *beauty of character*.

A true Hebrew, Paul seems to have had but little of that sensuous love of beauty which characterized the Greek mind. There is little evidence that either art or nature produced on him any considerable esthetic impression. But I know not where we can find among the ancient writers of any nation, evidence of such a love of beauty in moral qualities. It is not enough that any quality should be in action; it must have *grace* of action; *fullness* of action; *proportionate* action; *continuity* of action. Every single faculty must dress itself in all the excellence of which it is susceptible. Love is commanded; but "let love be without dissimulation." The ten thousand arts which seem to some so witching in love were to be laid aside. It was to be pure as the evening sky in summer. Generosity was inculcated; but it was not enough to be simply generous. "He that giveth, let him do it with simplicity;" not pompously, not ostentatiously, not boastfully. Do not give, as many rich men do, like a hen, that lays her egg, and then cackles. *Give with simplicity*. And so through the whole catalogue of manly qualities. It is not enough that men should have the qualities—they must have them in strength. These qualities must have grace. They must be beauteous as well as pure and strong.

This, then, is the Christian ideal of manhood: the development of man's whole nature into power and activity; the training of every part into subordination and harmony; the enriching of every part, and of the whole, with whatever is sweet and generous and genial and beautiful. A true man after Christ will be the most noble and beautiful thing upon the earth—the freest, the most joyous, the most fruitful in all goodness. There is no picture that was ever painted, there is no statue that was ever carved, there was no work of art ever conceived of, that was half so beautiful as is a living man, thoroughly developed upon the pattern of Christ Jesus.

Let us use this brief opening of the word of God, for instruction, for criticism, and for appeal.

1. To live well for the life to come is the surest way of living well for this world. And to live rightly for this world is the surest way of living rightly for the world to come. We are placed in circumstances

in this world such that all things next to us must receive attention—must excite thought. They come in upon us through every one of our senses. We live, and fulfil our duties. Our duties indeed spring out of the right using of the natural world, and of all that civil society which has been divinely organized upon the natural world; and he who seeks to be a Christian by eschewing duty, by going away from this material or civil life, mistakes entirely the divine providential arrangement. Men who separate these two qualities, however, divorce what God meant should always be joined together.

Some men try to be Christians by morality, which has in it simple justice between man and man, and are wont to say, "If a man will do about right here, God will see to the great hereafter," which has in it a speck of truth, and but a speck. Others, taking the other part, say, "He that would live wisely should forsake the world, and should set his affections on things above," perverting the apostolic meaning of that beautiful command, as if it were our business to think only of the invisible, and live as anchorites, separated from the activities of the life that now is. These must be kept together.

Shall men dispute as to which is the most important, the forward-sight upon a gun, or the hind-sight? In its place, each is the most important. If you take true aim, you must draw the fore-sight through the hind-sight. And shall men dispute as to which is the most important, this world or the other? One is the fore-sight, and the other is the hind-sight. Put them both in range, and work them both all the time. This is the only world that we can live in at present. Human life, human society and civil government are God's means of grace. It is your drill-ground. And these means of grace are to be used as men use their machines. The potter does not expect that the fine clay will leave its nature and its destiny, and become a part of the wheel on which he has put it, that he may fashion it. Nor, when it is shaped, and put into the furnace, does he believe that it is to be changed into flame, and go away as gas into the air. It is to find, by the machine, and through the furnace, its final form and beauty, amid grinding and heat. And we are in this world to be fashioned by its grinding. The multiplied duties, the ten thousand industries of life, all the aspirations, interstrifes and social excitements of experience—these are but so many influences that are chiseling, rasping, shaping us. It was meant to be so. Life, and business in life, and all occupations are means of grace. Sunday-schools are means of grace, but are among the poorest. The church is a means of grace; but, comparatively speaking, it is a distant means of grace. So are ordinances a means of grace. The business that God calls every man to, the toil of his hands, the labor of

his mind, his dealings with men and with things—these are all prior and more efficacious means of grace. So if a man is good only in his seat at church, or in the Sabbath-school, he is a poor man. He must be a very bad man that cannot be good in church—if, peradventure, he keeps awake!

The place for true virtue is where virtue is tempted. The place for courage is where there is danger. The place for manhood is where there is a stress in the other direction. It is where men mingle with men, and are tempted to selfishness, and rise above it, and to pride, and hold it in subjection; it is where men are tempted to be fiery, and bitter, and cruel, and greedy, and aggressive, and they, in the midst of these temptations, strengthen the other tendency, and lift it into vitality —it is there that manhood is developed. That is God's pulpit. It is God's church. It is where men are formed. No man is formed in a cave. That is the place for bats. No man is formed as an anchorite or ascetic. You are to be living men among living men, overcoming evil tendencies and temptations. It is there that God calls you to be full-orbed men in Christ Jesus.

The world is grandly constituted to develop manhood in those who know how to use it. But how base and ignoble are they who squander their manhood in this world; who pass through the most wondrously organized system of education—namely, the natural, civil, and social world—and parcel out their noble nature, as it were, for sale; who coin conscience; who suppress their spiritual nature; who dignify success in worldly things; who live, not for manhood, but for selfishness, for pride, for pitiful pelf!

How does a tool or machine pass through the various shops in its construction? It goes in a lump of pig-iron. Melted and rudely shaped it is at first. It passes out from the first set of hands into the second. There something more is given to it, not of fineness, not of polish, but of shape, adapting it to its final uses. The next shop takes something from it, it may be, trimming away the clumsiness, reducing it in bulk, that it may be finer in adaptation. And, still going on from shop to shop, it passes through some twenty different sets of hands, and gains something from every single man that touches it. And it is a perfect tool or machine when it issues from the other side.

This great world, my young friends, is God's workshop. You are put in on one side, and every single shop, every single experience, is to take from you something that you are better without, or add something to you that shall fit you for use. And blessed is the man who gathers, as he goes, symmetry, shapeliness, temper, quality, adaptation, so that when he issues from the further side, he is a perfect man. But

see how men go out of this world, which is God's workshop for making men in. How, after childhood and home are past, most men gather little! Indeed, childhood and home constitute the sum total of many men's thought of purity, and beauty, and spirituality. They look back when they think of purity. Woe to the man that has to look back for simplicity, for purity, for childlikeness, or love! How, after childhood and home are passed, do men grow worse and worse in this world! I do not mean what are known as criminal men. I mean men who are admitted into society; I mean men who are "respectable;" I mean men that would resent quickly, if not with challenge, certainly with warmth, if you intimated anything to their disparagement; I mean men as you see them in life. How has many a man passed through the various steps toward the last, having sacrificed everything in life to his purity, his nobility, his scope, his aspiration. The elements of his being were molded together, and he was put into the great workshop of life; and God meant to bring out, on the other side, a *man* in Christ Jesus. But bartering himself, step by step, all the way through life, under temptation, he comes out a swine, groveling, gross, wallowing, living for mere low and sensuous indulgence.

That is what the workshop of life has done for that man. It has wasted him with riotous living. Is there anything so degrading as that? A man will be filled with resentment if you charge him with a lie, or with positive dishonesty—and perhaps not improperly; but a man will stand and have the charge laid upon him, "You have destroyed soul and body; you have broken down health; you have quenched every noble instinct and aspiration; you have lived for the eye, and the mouth, and the lowest passions; and now, toward the end of life, you are beastly and overswollen with sensuous indulgence. And you are about to lie down and die. That is what life has done for you. Having rolled your bulk through the wallow of life, you are to go out as only the beast goes." Ah! no beast falls below his nature, to be a beast; but a man does.

Another man sacrifices all to power, and the ambition of it. Power is a good thing; and if it comes to a man, let him take it and use it. A man without ambition is like a man without a backbone. He needs stiffening and incitement. But power and ambition may be bought at too high a price. If a man have them legitimately; if he grasp them with the hands of true excellence; if he earn them; if they belong to him in right of what he is, then let him hold them. If God meant a man to be a leader, he probably will find it out himself, or God's providence will make it known to him; but if God did not mean a man to be a leader, and he ranks the sixth, or eighth, or tenth, or a score of places down in the scale, and he thrusts himself all the way up, wriggling,

creeping, crawling, sometimes on his feet, and sometimes on his belly, and sometimes on all-fours; if he goes through life, and gains some power and position and notoriety, and in doing so loses all that is noblest of himself—justice, self-control, benevolence, purity, the love of God, and the love of his fellow men—he has reached the point that his ambition evilly devised for him; but he has lost his manhood.

How many men there are who have given up everything that was worth having for the sake of external wealth! Riches are good things. The having of riches, however, is not so much to be desired as the not having of poverty. It is what riches cut off rather than what they add to a man, that constitutes much of their value. They give a certain sort of independence to a man. They give him certain powers by which, if he has the disposition, he can increase culture, and draw about him sources of influence and blessing. But riches may be bought at too high a premium. You can buy wealth. If God has ordained you for that purpose, it is right to be rich, and to seek riches. It is an honorable calling for a man to follow, under such circumstances. But if a man pays for his money with his manhood, and comes to his vast estate shrunk and shriveled, it is neither honorable nor right. How many men there are that pipe over their gains, no larger than a summer's mosquito on the last days of its life, thin, sharp, blood-sucking, voracious, and worthless! How many men are like steamers that have been blown about by mighty winds until they are out of fuel, and cannot get back to port again without burning the furniture and parts of themselves; and so, after all those articles on board which are combustible are consumed, part after part is torn away and burned in order to raise steam enough to get back, and they are stripped of everything from stem to stern, when they enter port! Many men thus come into the harbor of old age empty. They have used themselves for fuel to make steam all through their life. And these are the men that you are expected to take off your hat to. These are the men that walk looking superciliously down upon, and pitying poor men—men who are "too conscientious," or who have "stood in their own light," as it is said. Men that will not do wrong; men that abhor evil, because they are a law to themselves; men of honor; men of simplicity; men that love the thing that is right, and just, and good, and true, and pure—how are they pitied by the successful men of the world! Many men think they have ravaged the world; but the world has ravaged them. Many men think they have led honor captive; but they have dishonored and disgraced their essential manhood. Many men think they have built a great Babylon; but God beholds how, after all, they are as beasts, on whom feathers or hair doth grow, and has sent them to browse as beasts upon

the very ground. It is a base thing for a man to be put into God's workshop, which was set up on purpose to make men, and come out on the other side without a single attribute of manhood.

Ah! such wastes as there are! For a man to walk through cities and towns, and see what becomes of manhood, is enough to turn his head into a fountain of tears. It is enough to see the wastes of antiquity—the battered statues; the toppled-down columns; the fractured walls; the ruins of the Parthenon. It is a sad experience, mingling both pain and gladness. But of all the destructions that have gone on in this world, and that are now going on every day in the great cities which are grinding and crushing out manhood, the destruction of men is the saddest. Men are as clusters in the vine-vat; and the feet of temptation tread them down as the vintner's feet tread the clusters. And blood flows out as wine. And yet, this is a world that was made on purpose to make men better; to grind them to shape; to sharpen them; to temper them. And woe be to the man that is burned, or that is crushed, and that comes out worthless, and goes into the rubbish-heap of the universe!

2. I call you, young men, to a Christian life, not simply because it is the way of duty, but because it is the only way in which you can find your own selves. There are reasons springing from the eternal government of God, from the rightful authority of God, from the issues of the eternal world, why you should be Christians; but there are other reasons springing from the nature of your own soul—from your make-up. I hold that no man can be a man who is not a Christian. Not that a man becomes a man by becoming a member of the church, or a believer. Not that a man must be a sectary to be a Christian. All sectaries are partialists. I call men to Christ because manhood in Christ Jesus is the true ideal of the man.

There is an impression that religion is a life of restriction; that it is a pent-up and imprisoned way, full of inconvenience and loss, and that men are to be paid hereafter for what they lack here; that they are to reclaim, or commute for, in the heavenly land, what they lose in this world. Men think that, outside of the Christian life, there is a certain liberty, and gaiety, and joyousness, and that the natural state is the more manly, on the whole. Those men must have seen poor specimens of Christians who think that the natural state is a truer state of manhood than the Christian state. For the true Christian is the largest built of any living man, is the creature of the greatest joy, and is by far the one who has the greatest liberty. No man is free until he has learned to live in his higher nature. Only in *learning* to be a Christian is life burdensome; and it is so with everything else. When a language is commanded, it becomes a source of larger scope and enjoyment.

While men are learning the grammar of the language, it is tedious. When they have gained knowledge, certainly they are larger in their stature intellectually. While they are beginning it, in the throes of learning, they are held in, and restricted. It is true that, while they are learning, men have to deny themselves; they have to do painful things. The man that is tempted to dishonesty, and that will not yield to the temptation, suffers in his effort to overcome the evil tendency in him. The man that is tempted to be mean, and that is seeking to be noble, suffers in his strife against that narrow streak in his constitution. The man that becomes larger and better has to go through the penalty that lies in his way. Only in this sense is manhood in Christ painful. While we are learning to rise higher than our animal natures, we have to put up with inconveniences and discomforts. They are unavoidable in the nature of things. When we are in the intermediate stage, and are, as it were, mechanical men—men that know how to do, how to create, how to act; if we would go higher and become spiritual men, or truly intellectual men, then we must put our feet on our intermediate nature, and break that in, and bring it into subordination to our higher nature. And while this is going on, life may have its burden.

That is what *the cross* means. It is what *self-denial* means. Self-denial is only the higher feelings putting the whip on a lower one, because it is impudent, and is disturbing the soul. While you are breaking into subordination a lower feeling, there is, and ought to be, a degree of suffering. But when a man at last has his own consent to live as God meant that he should; when he is in pure health of body; when his every organ is cultivated; when he has perfect control of his animal nature, holding it for force, but not for luxury; when he has learned to energize all above it, and to give breadth and power to it; when he has learned to live in his affections and moral sentiments, and to move abroad as thought itself upon the wings of the understanding, then he is a true Christian. And there is no one that can compare with such a Christian for joy, for hope, for satisfaction, and for liberty. There is no man so free as the man that is a law unto himself—and that is what a Christian becomes.

You do not tell the truth because the public sentiment is out against lies. You tell the truth because the truth is sweeter than lies. You are honorable, not on account of anything that you fear from being dishonorable, but because there is an intrinsic beauty and fitness in honor that you esteem.

Why does a man like chords in music? Is it because musical books teach that certain musical notes sounded together are pleasant? Does he love them because these books say he ought to, and prescribe them?

The cause is deeper than that. It is in the construction of the mind and soul. Men love harmony and melody because they conform to the law and nature of their being. I hold that everything which a Christian man believes, purposes, does, is in conformity with the radical and fundamental notion of God, expressed in the human soul; and that no man is acting so entirely in accordance with his own nature, and therefore so freely and so largely, as a true Christian man. And if you suppose that the life of a Christian is a life of bondage and penances, you have derived your knowledge from wrong sources.

There have been periods when men have taken one-sided views, and run them into partialisms, and given them an inordinate development. Therefore men have come to think that tears are more sacred than smiles. No. Laughing is as divine as crying. There are men who think that sorrow has something in it more wonderfully divine than joy. Sorrow is divine; but joy was divine first, and will be after weeping and sorrow are swept out of the universe. Joy is more divine than sorrow; for joy is bread, and sorrow is medicine.

I hold that the true Christian man is the noblest man, the strongest man, the freest man, the largest man. He is like a harp, not subjected to rude and random touches, but handled by a skilful player. His soul is so organized and acted upon that there is melody produced from every single chord, and from all of them matchless harmonies.

3. I call you to discriminate between God's men and the church's men. I do not call you to be men in the church, or to be men according to the sects, whether they have prevailed in times past, or do now prevail. I do not speak in disparagement of the churches; for I regard them as I do every other machinery. The church is a human machine made to educate men. It is to religion what schools and academies are to the intellectual part of the human soul, and is not to be spoken against. Some churches are better than others. That is the best church which makes the best men. Churches are fond of comparing their pedigrees, and bringing out their own uniforms, and boasting of their weapons, one or another.

It makes no difference whatever, in watch-making, whom you get your watch from. If there should be a dispute between German, Belgian, French, English, and American horologists, as to which was the best watch-maker, how would you test it? By arguments and logical reasonings? No. You would take their watches and try them. The best watch-maker is he that makes the best watch. And I say that the apostolic sects are those that make the most apostles. It is the best sect that makes the best men. Creeds may have more or less relevancy to them, and ordinances may have more or less relevancy to them, and

methods may have more or less relevancy to them; but, after all, the true way to judge of all sects and churches, is to inquire from which sort come the most of the best men. That is the best sect for you and for everybody. And the plain common sense of our time, rising above the superstition of medieval ages, will ere long enforce that upon the churches themselves. And it will be understood that churches are but manufacturers of men, and are to be judged by the wares they turn out. It is the essential nature and use of things which determines which is best and highest.

I do not call you, then, to live in the church, although the church is to be used; although you will, I trust, one and all of you, be found at the altar, and be found reverent in the offices of revealed religion, and respecters of things sacred. Yet, after all, my model of man is not the narrow, low, partial model that prevails in all sects; for you must be larger than any sect in which you go. Manhood is bigger than any machine by which one is educated. A man is larger than the common school where he learns. If an academy graduates a man, it is because he is too big to be held. A nest is good for a robin while it is an egg; but it is bad for a robin when it has got wings. It is a poor place to fly in, but it is a good place to be hatched in. Institutions always dig their own graves if they are good for anything. In an educatory institution that is good for anything, men become larger than the institution. The candlestick holds the butt of the candle, but does it hold the light? Beneficent institutions of every kind are but men-holders or men-makers.

I would not, then, urge religion upon you, having you think, "I am to be a Methodist;" or, "I am to be a Baptist;" or, "I am to be a Congregationalist, or Presbyterian;" or, "I am to be a Churchman;" a High one, a Low one, or a Middling one. Any man's grindstone is good enough to grind you on; any man's shop is good enough to make you in; any church is good enough for you to develop a Christian life in. There is not a church on earth that has not something of truth in it; and enough, if you have a mind to appropriate it, to feed you upon, and to build you up to manhood. There is no church that contains all the truth. There is no church that is supereminent over all others. The various churches are so many schools and academies and colleges in which men are being educated. And your manhood should be larger and nobler than any sect—should fill up and overrun the measure. As a vine, growing in a garden by the side of the road, does not confine all its flowers and clusters to the garden side, but hangs over the wall, and bears blossoms and clusters in the road; so a man, wherever he grows, should be larger than the thing that he grows in. Wherever you go, let your manhood be bigger than any human institution. It is a shame

for an institution to be bigger than the man that it has reared. God, when he reached down his creating hand, and swept a circle larger than a continent, broader than an age, and vast as the eternal sphere, said, "Let it be called *man*."

Burrow not, then, in any hole. Shrink yourself not to the girt of any sectarianism. Love everything; love all men. Use everything; use all men. Use churches as you do hotels—not to live in, but to take your food and refreshment in, on your way to your Father's house. The Father's house is the only place that is fit for the permanent abidance of the soul. And while I would dissuade you from the life of the scoffer, and the scarcely less respectable life of the indifferent man, I beseech of you, do not narrow and demean yourself so much as to feel that any sect or denomination is as big as you need, or that you can find all you want in it.

God did not call you to be canary-birds in a little cage, and to hop up and down on three sticks, within a space no larger than the size of the cage. God calls you to be eagles, and to fly from sun to sun, over continents. Be large, then, be strong, be wise, be pure, as God is; for you are the sons of God.

4. I use this truth as a matter of criticism, to ask you to discern between the true man and the current gentleman of life. No man has occasion for pride of gentlemanliness whose manhood has nothing in it of religion. A man must be a Christian who would be a gentleman. A man who is a gentleman should be a Christian. The current gentleman may have much in him that is good, in single qualities. Indeed, he may be of surpassing excellence. But if a man devotes himself to a single flower, we expect him to get better flowers than the gardener who takes the whole range of botany. For you cannot give to ten thousand flowers as much culture as to a single one. And there are men who pride themselves upon their honesty or truthfulness. That is the only virtue that they have. The whole force of their life goes into that one quality. They ought to have that one; but would you consider that a well-developed man whose nose was developed above everything else on his face; whose whole growth had been concentrated in that one feature? Is that a well-developed man, any of whose limbs is developed out of proportion? Gentlemen of society frequently excel other men in single qualities, having cheated their whole nature to make themselves agreeable and polished. To be a gentleman requires that one shall be a full man. Manhood requires more than conventional refinement; more than the stock proprieties of life. Is he a gentleman who only keeps his word, vindicates his courage, and polishes his intercourse in society, but who does not hesitate to indulge in coarse animal passions, in lust, in glut-

tony, in excess of wine? Is he a gentleman who lives in his animal nature? Is he a gentleman who has no higher aim in life than routine duty and routine pleasure? Without appetite for knowledge, without yearnings and inspirations, without growth, without faith, without purity and love, is a man a gentleman? Can you make a gentleman by cutting a man in two, and building up the lower half, and leaving the upper and better half out? Is he a gentleman who merely conforms to a few starveling maxims of conduct and conventional arrangements of society to prevent overaction? And yet, what higher claim than this have many who pass themselves off for being gentlemen? Manners and etiquette are too often but the fine color and empty shell of a thing which is dead. Color is good; but life that makes color is a great deal better.

A Christian should always be a gentleman, because he is true, and because he is right; but it does not follow that he should be rude, or coarse, or indifferent to the feelings of those round about him. Emphatically, a Christian should be a gentleman; and a gentleman should be a Christian. Christianity, as I have said, is the science of being a whole man.

5. Let me beseech you to take heed to the substitution of class character for manhood. In some lands classes are organized by government. There they are less evils because they are realities. But in communities like our own, where classes are aggregated by certain elective affinities, the worst mischiefs ensue; for, the world over, classes are apt to be arrogant and overconceited. They are small and mean, usually; and yet, men that belong to a class, or to a "set," as it is said, think that wisdom shall die with them. They think they have the diameter of the world. They think their thought the very measure of existence. They run the round of social gaieties; they repeat the talk of their own sect; they live in their own little circle; they know all that is knowable of each other, and run through empty fripperies and rounds of inane vanities; and yet, they consider themselves as model men—the aristocrats of the neighborhood. They regard themselves to be the class of all classes. They despise the lower people—poor men. Thin and wasted are they oftentimes, in all the elements of manhood except position, wealth, and a certain class influence.

Beware, then, of classes. Join them just as a man joins a wood, on his way through it. Go into them, but go through them. Use them, but never let them use you. Be larger than any class will ever let its members be. Stand high, and remember that manhood is better than any of the sections into which it is broken up.

6. Beware of the narrowness of professional character, which will be your temptation. For, although there is a pride of profession—an

esprit de corps—that is wise, and may be turned to account, yet the pride and vanity of men tend always to spoil everything, and the advantages go but little way, and soon give place to disadvantages which are most harmful, most hurtful. For no profession has so many claims upon a man as mankind has. No man can afford to live for his profession, and in his profession. No man can afford, by the side of the sounding sea, to build his hut on a little rivulet that runs into it, and never go down to wet his feet in the flood, or try its depths. Good as any profession is, you will be obliged, in the order of business, to live in it as much as is useful. Ministers ought not to be too much with ministers. They should go out among other men. Lawyers ought not to consort only with lawyers. They should go beyond their own class. Soldiers should seek civil society. Teachers, dealers in ideas, should dwell more with men that deal in wares; and men that deal in wares should aspire to the company of men that deal in ideas. Men need mixing. Men need to feel a sympathy with the whole of human life.

Therefore, remember that you are not to be educated out from among your fellow men, but for them. No man belongs to those who are below him, so much as the refined, educated and powerful. By as much as you surpass a man, you become his servant. "He that would be chief among you, let him be the slave of all," said the apostle.

But the time is already sped, and I will bring speedily to a close these remarks, by which I would fain urge you to a larger, a purer, a sweeter, and a nobler manhood. Delivering you from the temptations that are in the flesh; delivering you from the temptations that are in your own dispositions; delivering you from the temptations that inhere in the thrall of labor and the bondage of business in life, and from the temptations which are special to classes and professions, I fain would incite in your minds a higher conception of manhood as it is in Christ Jesus. Especially have you such temptations, because in some sense there is a work given you as soldiers which is given to no others. You ought to be nobler than most men, because your work is vicarious. You labor for the Government. You stand for the country. It is for you to be the right hand, the executive hand, of the Government of your land. You need not be cruel because you are warriors; for war may be but discipline. It is the symbol of justice, of law, of liberty itself. We have but just passed through a war which, with all its atrocities, and its incidental cruelties, and the horror of its details, will be looked back upon, when we have drifted so far that we can see them in perspective, as a sublime war for unity, liberty, and human happiness. And all its blooddrops, all its tears, and all its wrecks and desolations will pass out

of view; and no man can measure the abundance of that good which will spring up in consequence of it.

You are a part of the Government; and it behooves you to represent to men something better than common men do. It is yours to guard our flag, which has now more to tell the world than any other flag. Now, thank God, it is *clean*. Once there was blood on it. Not a drop now. Once the stars that were on it were stars with a background of barbaric slavery, feebly shining out of midnight. Now they are the stars of hope, the world over. And those stripes that are upon the flag are no longer stripes of cruelty, to shed blood. They are the auroral light that plays upon it; for, as you bear it round and round the globe, upon the land or on the sea, that flag means intelligence and liberty. And it is a blessed thing to be a guardian of it. You belong to a profession that is honored. I mean not abroad, though it is honored there; but already in our own land we have those—and those too, happily, that have sprung from the loins of this venerable school—upon whose names rest glory and immortality, for their skill, for their endurance, for their wise victories, and yet more for their humanity, their moderation, and their unambitious patriotism. Nor are any of the stories of battles and sieges and marches so sweet and musical to me as is the story of the five chiefest men whom this war has lifted into conspicuity, not one of whom is not the brother of the others. Without rivalry, with hands firmly clasped, unenvious they stand, to show men what an American man and an American officer should be. While Napoleon could scarcely hold his army together from the envies and jealousies of his marshals, behold how we are twined together like a cord, by the firm friendships of our chiefest men that the war has brought forth, and that this school has bred.

My young friends—you that abide—I beg of you, take aim higher than merely the aim of this school. Enlarge your conceptions of life. Ask inspirations above the text, and above the teacher, that God may give you a conception of what it is to live for a truer manhood than any that you have hitherto followed.

And ye that go forth, what can I ask better for you, than that your hopes may be larger, your ambitions purer, your aims truer, than those which, in your best hours, when you stood on the very mountain-top, you framed for yourselves? May the blessing of Almighty God go with you; and may the blessings of Christ and the Holy Ghost never depart from you. Wherever you are, in burdens, in trials, in wounds, in sickness, in death itself; whether among friends, or in the wilderness far away, and among savage foes, or departing in the thunder of the earnest battle, may you never lack company. May He who loved your father

and your mother, may He who has guided your steps in all the days of your lives, never forsake you in the hour of anguish and trial. And from an earthly manhood, growing more large and resplendent, may there be reached out to you that manhood in Christ Jesus which shall be perfected only in the heavenly land.

§ 88

IS IT I?

By Phillips Brooks

"And as they did eat, Jesus said, Verily I say unto you, that one of you shall betray me. And they were exceeding sorrowful, and began every one of them to say unto Him, Lord, is it I?"—MATT. xxvi. 21, 22.

It was a moment of dismay among the disciples of Jesus. Their Master, sitting with them at the supper, had just declared that one of them should commit an act of the basest treachery and betray Him to His enemies. There could be no deed more contemptible. Every obligation of duty and affection was violated by it. One who stood by, in the rude upper chamber where they ate the supper, might well have watched with curiosity to see how these plain men would take the words of Jesus. Will they break out in indignant remonstrance? Will they fall to accusing one another? Will each draw back from his brother apostle in horror at the thought that possibly that brother apostle is the man who is to do this dreadful thing? Instead of these, there is a different result from either, and one that certainly surprises us. Each man's anxiety seems to be turned, not towards his brother, but towards himself, and you hear them asking, one after another, "Lord, is it I?" "Lord, is it I?" Peter, Bartholomew, John, James, Thomas, each speaks for himself, and the quick questions come pouring in out of their simple hearts, "Lord, is it I?" "Lord, is it I?"

Certainly there is something that is strange in this. These men were genuine. There could not be any affectation in their question. A real live fear came over them at Jesus's prophecy. And it was a good sign,

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no doubt, that the first thought of each of them was about the possibility of his own sin. When a man foresees a great temptation that is coming, it is always better that, instead of turning to his neighbors and saying, as he searches their faces, "I wonder who will do this wicked thing," he should turn to himself and say, "Is it possible that I am the man who will do it?" When the wind is rising it is good for each ship at sea to look to its own ropes and sails, and not stand gazing to see how ready the other ships are to meet it. We all feel that we would rather hear a man asking about himself anxiously than to see him so sure of himself that the question never occurred to him. We should be surer of his standing firm if we saw that he knew he was in danger of a fall. Now, all this is illustrated in Christ's disciples. It must have been that their life with Him had deepened the sense of the mystery of their lives. They had seen themselves, in their intercourse with Him, as capable of much more profound and various spiritual experience than they had thought possible before. And this possible life, this possible experience, had run in both directions, up and down. They had recognized a before unknown capacity for holiness, and they had seen also a before unknown power of wickedness. Their sluggishness had been broken up, and they had seen that they were capable of divine things. Their self-satisfied pride had been broken up, and they had seen that they were capable of brutal things. Heaven and hell had opened above their heads and under their feet. They had not thought it incredible when Christ said, "I go to prepare a place for you, and I will come again and receive you to myself," and now they did not think it incredible when He said, "One of you shall betray me." The life with Christ had melted the ice in which they had been frozen, and they felt it in them either to rise to the sky or to sink into the depths. That was and that always is Christ's revelation of the possibilities of life. To one who really lives with Him the heights above and the depths below both grow more profound. A new goodness and a new badness become possible. He makes men know that they are the children of God, and that as God's children they have a chance to be far better or far worse than they could be when they thought themselves only His slaves. All this Christ did for those first disciples and the same change of life, the same deepening of its possibilities, has come to all who have really lived with Him since then.

There are times in the lives of all of us, I think, when that comes to us which came here to Christ's disciples. Of such times and their position in our lives and their effect upon our lives let us speak this morning. Beneath us as beneath them the worse possibilities of our nature sometimes reveal themselves. There are times when it seems to us not

impossible that we should commit very great sins. Just as there are some times when we catch sight of the possibility of holiness which lies above us, and comprehend with rapturous hope how good it is in our power to become; so there are these other times when the mysteriousness of our nature opens its other side, and the crimes and vices, at which we and all men tremble, seem to be not wholly impossible to us. Such times are not our worst times certainly. Often they are times which, by their very sense of danger, are the safest and strongest of our lives. But they are often moments that dismay us. They come in upon our self-complacency and shock it with their ominous presence, these moments when we suspect ourselves and see that inevitably to the power of being very good if we will, is linked the other power of being very bad if we will, too. Let us consider what some of the times are which waken this darker self-consciousness, this sense of our own possibilities of sin.

One of them is the time when we see deep and flagrant sin in some other man. When some great crime is done, when through the community there runs the story of some frightful cruelty, or dreadful fraud, I think that almost all of us are conscious of a strange mixture of two emotions, one of horror and the other of a terrible familiarity. The act is repugnant to all our conscientiousness, but the powers that did the act, and the motives that persuaded the doing of it, are powers which we possess and motives which we have felt. They are human powers and human motives. It is a human act. If we could watch the sinning of another race with a wholly different nature, I think that it would stir no such self-consciousness. If we could stand by and see the wickedness of fiends or fallen angels, it might excite our hatred, our disgust, but it would make no such deep questionings as come when we recognize our own humanity in the sinning man, and find our nature bearing witness that it has in it the same powers by which he has been so wicked. A being of a higher race might see our sin and sorrow with pity, with pain, with wonder; but the pain would be all free from self-reproach, and the wonder would all exhaust itself outside of him. It would be the innocent bewilderment with which I remember, in a picture by Domenichino at Bologna, an angel stands at the foot of the empty cross, and tries with his finger one of the sharp points in the crown of thorns which the Saviour had worn during His passion. It is all a sad inexplicable wonder to him. It appeals to no experience of wickedness and woe in his pure and angelic nature. But when you or I take the crown of thorns into our hands we know in our own hearts the meanness, the jealousy, the hatred which it represents. The possible Jew, the possible enemy of righteousness and crucifier of the Savior, stirs to self-con-

sciousness in us. When you read the story of yesterday's defaulter fleeing to-day, an exile and an outcast, or sitting gloomily behind his prison bars, it is not with an angel's innocent wonder what a sin like his can mean; it is with the understanding of a man who has felt the same temptation to which this poor wretch has yielded, that you deplore his fate. It is always the difference between an angel's pity and a man's pity. With simple wonder an angel might walk through our State Prison halls; but a man must walk there full of humbleness and charity; for, as the best man that ever lived finds something of common humanity in us which makes his goodness seem not impossible to us, so the worst of men stirs by the sight of his human sin some sense of what human power of sinfulness we too possess.

2. Another of the occasions which let us see our own possibility of sin, which opens to us a glimpse of how wicked we might be, is when we do some small sin and recognize the deep power of sinfulness by which we do it. The Bible is full of this idea. Look at Adam with the forbidden apple. Is it only that one sin which terrifies him, and makes him dread the coming of God which had been once the joy of the garden day? Is it not that pressing up behind that sin he sees the long procession of sins which he and his descendants will commit? A boy paints his first stumbling, ill-drawn picture, and, as he gazes at it, he sees, already, the glowing canvas which he is some day to cover. It grows possible to him. A boy makes his first boyish bargain, and the trade-impulse rises in him, and, already, he sees himself a merchant. It is the same thing. A pure, honest boy cheats with his first little timid fraud, and on the other side, the bad side of him, the door flies open and he sees the possibility that he, too, should be the swindler whose enormous frauds make the whole city tremble. The slightest crumbling of the earth under your feet makes you aware of the precipice. The least impurity makes you ready to cry out, as some image of hideous lust rises before you, "Oh, is it I? Can I come to that?"

3. And yet another occasion when we become aware of our own bad possibility is the expression of any suspicion about us by another person. Perfectly unwarrantable and false we may know the charge to be which is brought against us, but the mere fastening of the sin and our name together, the fact that any man could mention the two in the same breath, must turn our eyes in upon ourselves and set us to asking, "Is it impossible?" "I did not do this thing indeed. My conscience is all clear. I did not commit this cruelty. I did not prove so ungrateful and treacherous as this charge would make me. Perhaps I could not, perhaps I know I could not do this special villainy. But can I blaze up into fiery indignation at men's daring to suspect me without remem-

bering what badness I am capable of? Can I resent suspicion as an angel might, who, standing in the light of God, dreaded and felt no sin?" I think that for you or me to find our names linked to-morrow in this community with some great crime, of which we knew that we were totally innocent, must stir the mystery of our inner life, and make us see what capacity of sin is lying there. I think our disavowal of the sin that we were charged with would be not boisterously angry, but quiet and solemn and humble, with a sense of danger and a gratitude for preservation. I think that ought to be the influence. And even the boisterousness with which some men deny a charge against their characters is still a sign in a worse way of how their conscience has been touched. Would you want the clerk in your store to be charged with dishonesty, and not go back to his work when the charge had been disproved, with a deepened perception of temptation, and a quickened watchfulness and care?

4. Or yet again. By a strange but very natural process, the same result often comes from just the opposite cause. Not merely when men suspect us and charge us with wrong-doing, but when men praise us and say that we are good, this same recognition of how bad we have the power to be often arises. Suppose that you are going on in a dull and lifeless way, not conscious of anything about yourself except just the practical powers by which you do your work from day to day. You have forgotten the mystery of your spiritual life. You have grown wholly unaware of the moral extremes whose folded capacities are in you. You never think how wicked you may be, or how good you may be. "Take thine ease, eat, drink, and be merry." You have come to that. And then suppose that some fellow-being, under the influence of some delusion, begins to praise you. He takes some little thing which you have done; he conceives for it lofty motives which you never dreamed of; he purifies it of all selfishness; he holds it up and says, "See what a true deep spiritual man it must have been that did this thing." What is in your heart as you see your poor little deed held up above the world, shining with the light that this friend's imagination has thrown into it, and with the eyes of all men fastened upon it? Is there no shame? You must be a very poor sort of man if there is not. Is there no breaking up of the dead equilibrium of self-content? Is it not as if the net in which a bird had been held, with its wings helpless and useless, were torn to pieces, and the bird had either to fall to the ground or to fly to the sky? Its danger and its chance were revealed to it together. A man comes up to our life and looking round upon the crowd of our fellow men, he says, "See, I will strike the life of this brother of ours and you shall hear how true it rings." He does strike

it, and it does seem to them to ring true, and they shout their applause; but we whose life is struck feel running all through us at the stroke the sense of hollowness. Our soul sinks as we hear the praises. They start desire but they reveal weakness. No true man is ever so humble and so afraid of himself as when other men are praising him most loudly.

5. I must name one time more. Is it not true that every temptation which comes to us, however bravely and successfully it may be resisted, opens to us the sight of some of our human capacity of sin. To resist temptation is never, I think, an exhilarating experience. We remember too vividly how near we came to yielding. We come out of battle thankful that we are safe and sound, but the night after the battle is not a light-hearted or jovial time. There are too many vacant places in the tent which only yesterday were full. The shriek of the bullet and the sight of the bursting shell are still too fresh and vivid. We are too much surprised to find that we are safe. Our escape has been too narrow. Job, as his wealth rolls back to him, takes it with thankful hands, but he cannot laugh over it when he remembers how from the heights of his misery he looked over into the possibility of cursing God. Simeon, when the child Christ is brought to him, thanks God that he has lived to see the fulfilment of his hopes; but he may well have remembered how often he had been almost ready to despair and give up his long watch. Nay, even Jesus Himself, what shall we think was the kind of step with which He came down the mountain? He had seen Satan. He had seen with what greedy and confident eyes Satan looked at that humanity of his, as if it were something that belonged to Him. Nay, in His own humanity He had felt a treacherous something, that was ready to respond to Satan and to own his mastery. Strong and victorious He came away. But was there no new solemn insight into this humanity which He had taken? Was not the Incarnation more than ever awful to the Incarnate One? He, the sinless, had gone up and looked over the edge into the deepest depths of sin. He needed the ministry of angels, and He surely came down the mountain serious and sad. And so it is with you, when you follow your Lord into that experience. It may be that you come out by His grace pure and thankful, but you come out like Him, serious and sad, for you have looked down as He looked into the possibility of sin. The man who dares to laugh at a temptation which he has felt and resisted is not yet wholly safe out of its power.

I name these times then in which the possibility of our own great wickedness appears to us. No doubt the list might be made longer, but these are enough. When other men sin flagrantly; when we sin in

any degree; when men suspect us although we are innocent; when men praise us; when we are tempted and resist,—at all those times the ground opens under our feet, and, though we stand safe and firm, we see whither we might have fallen. What is this but saying that in every serious moment of life the possibility of sin stands up before us? None but the man who has no serious moments, none but he who makes all life a play, escapes the sight. To every other man, nay, may we not say to every man, since no man is literally always a trifler, to every man at some time the clouds roll back, the spell is broken, and he sees what a power of being wicked as of being good belongs to him just as man. And now is it good for him to see this? Will it help him or harm him? Perhaps it is a question that is needless. He cannot help himself. He must see it. When it has once opened on him, he cannot shut his eyes and forget it if he would. He will see it still behind his folded lids. But still we may ask the question, Will it help or harm him? And that will depend upon the way it works in him. It may become in him either paralysis or inspiration. One man sees his danger and stands powerless. Another man sees his danger and every faculty is strung to its intensest strength. It is like the way in which the knowledge of the shortness of life may affect a man. One man it fills with dismay; another man it turns into a hero. What you want in both cases is to realize the conviction as a motive, and not as a mere emotion. I remember reading of how someone once asked a veteran surgeon what was the effect of the constant sight of human pain which filled his life, —how he could bear it. And his answer was wise and philosophical. He said that, as near as he could state it, the sight of pain ceased with the surgeon to act as a source of emotion, but continued to be effective as a motive for action. The misery at seeing it passed away, but the desire to relieve it grew stronger and stronger. So I think it is with the best sense of our danger of sin. Not as an emotion, not as something that we sit down and weep over, but as a motive, as something that makes us watch and work and pray, does it do its best work for us. The knees need not tremble, nor the heart grow sick. If the feet are set more resolutely toward goodness, and the hands lay hold more firmly upon help, it is good for us to know how wicked we may be, how great our danger is.

And what is it that makes that difference? How is the consciousness of our danger prevented from becoming a depressing emotion and turned into an inspiring motive? It must be by opening the life upon the other side. It must be by realizing the possibilities of our human life for good as well as for evil, by seeing and never forgetting how good we have a chance to be, as well as how bad we may become. This is the power

of hope; and hope is the true master of fear. Hope uses fear. It demands its service by a natural right. It is fear's essential superior. Under hope fear works well. But in a life that has no hope fear is a surly tyrant. Now our human nature cannot bear being shut up in its present condition. No man's nature can. Your nature feels its own mysterious capacities too much to believe for a moment that it can be nothing different from what it is. It crowds and presses for an outlet. If it can find an outlet only on the lower side, toward its possibility of sinfulness, it will go forth there and contemplate the evil that lies within its power until it grows into stony hopelessness. But if it finds an opening on the upper side of its present condition, it prefers that, and going out there, aspiring instead of despairing, it is simply driven on toward that which it is already seeking, by the knowledge of what lies behind it if by any chance it should fall back. This is always the relation between hope and fear in healthy life. A merchant hopes to be rich, and the fear of being poor, instead of being a vexing anxiety, becomes the humble servant of his expectation, and helps him on toward wealth. The fear of death is terrible to a sick man until the hope of life and strength and activity opens before him; and then in his convalescence the fear of death has ceased to depress him as a feeling, and only remains with him as a motive to caution and watchfulness. Thus fear is always good when it has hope to rule it. And now if you saw a young man overwhelmed with the sight on which our eyes have been fixed to-day; if you saw him so full of the consciousness of the power of sin in his life, the possibility of the badness that he might do and be, that he was wretched and paralyzed, what would you do for him? Would you try to make him forget what he had seen? Would you try to shut out the mystery of his life from him, and make him live again the life of narrow satisfaction in the present which he lived before he looked down into the deep gulf? You could not do it; but if you could would it be well? Surely not. What you need to do for him is to make him lift up his eyes and see the heights above him. You want to make him like the climber on a ladder, who looks up and not down, who climbs not to escape the gulf below him, but to reach the top above him, and who feels the gulf below him only as a power that makes the hold of foot and hand on every round of the ladder which they strike more firm. Now it is the glory of the Christian Gospel that in the treatment of man's spiritual nature it preserves this true relation between hope and fear perfectly. Christ is the very embodiment of what I have just now been saying. Read your New Testament. As the man who feels its influence leaves his sin and strives towards holiness, what is the power of his progress? Is it the fear of what he leaves behind? Is it not

always primarily the desire for the holiness he seeks? And yet the saved of the Savior as He is borne onward into His salvation never can lose the sense of the great deep below him, into which he must fall if he lets the Savior go. But that sense only tightens more closely the grasp of the hands which have first seized the hope that was set before them out of ardent desire. This, I am sure, is always the proportion of the Gospel. "Flee from the wrath to come" is always an ally and humble servant of the great "Come unto me." "Come unto me" might stand alone, even if there were no "Flee from the wrath to come." But what would "Flee from the wrath to come" be without "Come unto me"? One is almost ready to say: Better lose sight of the mysterious capacity of life altogether, than to see only one side of it. Hide your eyes. Forget that you are a sinner; never dare look down and see what a sinner you may be, if there is no Savior from your sin. But if there is, and if you see Him, then feel the depth below you and let it make you cling to Him more closely; realize the power of sinfulness, which has in it the cruelty and falseness and impurity of the worst men that have lived, that you may realize also the power of holiness which has in it the truth and bravery and gentleness of all the saints; let the gulf under your feet measure for you the sky overhead. Know what a sinner you might have been only that you may know more deeply and gratefully the salvation which has saved you.

I suggested just now the analogy between our physical and moral consciousness, between our consciousness of the power to be sick and the consciousness of the power to sin. It is an analogy which illustrates what I have just been saying. There is a nervousness about health which is all morbid. It is full of imaginations. There are people who can never hear a disease described without thinking that they have it. They never hear a sick man talk without feeling all his symptoms repeated in themselves. You think of such a person and realize his wretchedness. Then you look away from him to a perfectly healthy man who seldom thinks about being sick at all. But yet he is something different from what he would be if there were no power of sickness in him. Unconscious for the most part, but now and then coming forth into consciousness, there is always present with him a sense of his humanity with all the liabilities which that involves. He does not do what a man would do who had literally a frame of iron. And that is just the condition of the man with the healthy soul. He does not nervously believe, when he hears of any flagrant crime, that he is just upon the brink of that crime himself. He lives in doing righteousness, but all the time he keeps the consciousness that sin, even out to its worst possibilities, sin even to the cruelty of Cain, the lust of David, the treachery

of Judas, is open to him. This consciousness surrounds all his duty. His righteousness is not an angel's righteousness. It is always a man's righteousness, always pervaded, solemnized, strengthened, aye, sweetened to him by the knowledge that there is a bad corresponding to every good, and that he might do one instead of the other just because he is a man.

I do not care to go one step into the theological mysteries of compelling grace and final perseverance. I do not care to ask whether it is possible for man, still being man, to come to such a point that this of which I have spoken to-day, this possibility of flagrant and terrible sin, should utterly and absolutely be left behind and pass away. I think that what I have been saying lately shows us that a man, as the power of the hope of holiness takes stronger and stronger hold upon him, does pass more and more out of the fear of sin. And since his hope of holiness always comes to him as the gift of God, and depends on his dependence on God, we can see that as man by experience grows sure of God, and morally certain that he never can be separated from Him, he passes to a profound belief that he will not fall into the flagrant sin, which yet, because he is a man, remains possible for him. This moral certainty of his comes from his confidence in God. It is not confidence in himself. Here it seems to me is the true escape from whatever has seemed harsh or hopeless in the truth which I have preached to you to-day. The disciples heard Jesus tell of the coming treason, and each of them thought with horror that he might be the traitor. "Lord, is it I?" and "Is it I?" they cried. They knew that they loved their Lord, but they dared not be sure that they would not desert Him. Sufficient spiritual light had come to them to make them see the mystery of their own hearts. Once, before they had this spiritual light, they would have cast aside such a suspicion as an insult. "Am I not an honorable man?" "Is not such a mean act impossible for me?" Now Christ in showing them their higher chance has shown them their lower chance, their danger too, and each wonders whether it can be he who is to do this dreadful thing. Now open a later page of the apostolic history and hear St. Paul writing to his Romans: "Who shall separate us from the love of Christ? Shall tribulation, or distress, or persecution, or famine, or nakedness, or peril, or the sword? Nay, in all these things we are more than conquerors through Him who loved us." See what a change. Here is confidence! Here is a moral certainty! Whoever else may turn traitor, Paul is sure that it will not be he. But it is confidence—not in himself nor in his manliness or honor—only in Christ and in the power of His grace and love. "More than conqueror, but "more than conqueror through Him who loved us." Is there not here the beautiful progress of a moral nature as regards the whole matter of confidence? At the first a pure

blank self-reliance, the solid and unbroken self-content of a man who thinks himself able to meet and conquer all temptations. Then an insight into the mysterious capacity of sinning, which breaks and scatters the confidence in self, and leaves the poor soul full of fears and doubts. Then an entrance into Christ and His love and power, where the soul, given to Him, finds a new confidence in His strength, and is sure with a sureness which has no warrant but its trust in Him. Have you ever watched one of the waterfalls that come over the perpendicular side of a steep mountain? Do you remember how it changes from the top to the bottom of its fall? At first where it comes over the brink it is one solid mass of dark-green water, compact and all sure of itself. Then half-way down the perpendicular face over which it descends, see what a change has come. Its solidness has gone. It is all mist and vapor. You can hardly find it. Only like a thin haze it hangs in front of the dark rock behind it. But once more, as it gets farther down, see how it gathers again. The mist collects, and is once more a stream; a new solidity appears; and at the mountain's foot the brook, restored out of its distraction, starts singing on its way down the bright valley, white still with the memory of the confusion into which it has been thrown. So is it with the confidence of man. It begins full of self-trust. It scatters and seems lost as his experience deepens and he learns his own possibility of sin. It is gathered anew and goes out in happiness and helpfulness when he finds Christ and gives his poor bewildered and endangered soul into His love for keeping.

This is the Bible picture of human life. Where shall we look for any other that is as reasonable or as complete? The fearless truster of himself; the distressed doubter of himself; the faithful truster of Christ! They are all here. We lay the Bible picture down beside our human life and it explains everything. In life, too, there is the stout believer in himself, the frightened disbeliever in himself, and the sure believer in God. As a man comes into Christ, that experience deepens itself around him till he has fulfiled it all. First, a stripping away of his own righteousness, and then a clothing with the righteousness which is in Jesus. First, a light thrown upon himself, till it seems as if there were no wickedness he might not do, and then a drawing of his self into Christ's self till he sees there is no holiness which he may not attain. First, the weakness which comes of self-knowledge, and then the strength which is "strong in the Lord and in the power of His might." First, the fear which cries, "Is it I?" as it hears the announcement of some dreadful sin; and then the wondering faith which cries, "Is it I?" as the doors are opened and they who are Christ's are called to enter in to His everlasting life.

§ 89

"THE THINGS THAT ARE CÆSAR'S"

By James J. Dean

(Sermon delivered at a solemn military mass in Our Lady of Lourdes Church, Philadelphia, Pa.)

"Render to Cæsar the things that are Cæsar's, and to God the things that are God's."

The occasion which brought forth the words we have chosen for our text, my dear friends, occurred during the closing days of our Savior's public career. The high-priests had already decided upon His death and only awaited a favorable opportunity to put their designs into execution. They dared not lay violent hands upon Him because they feared the anger of the people who, a few days before, had received Him with acclamation and had greeted Him as their king. Their only hope lay in compromising Him before the Roman authorities. If they could make Him appear in the light of a dangerous agitator, the governor would be obliged to put an end to His preaching and they themselves would be spared the odium and the responsibility. The intrigue was cleverly planned. The leaders of the movement chose representatives from two powerful and opposite sects and sent them to our Lord with orders to entrap Him. The Pharisees were the strongest supporters of national independence; the Herodians were staunch upholders of the Roman power. Yet, these two parties, always bitter enemies, united their forces to oppose and, if possible, to destroy the popular Galilean.

After agreeing upon their plan of campaign, the emissaries came to Jesus and, with affected scruples of conscience and a pretense of justice, began their attack with flattery. "Master, we know that Thou art a true speaker and teachest the way of God, neither carest Thou for any man; for Thou dost not regard the person of men. Tell us, therefore, what dost Thou think: Is it lawful to pay tribute to Cæsar or not?" No more insidious question could have been asked. This matter of the Roman tribute was a thing which excited violent feelings and gave rise to bitter dissensions. The people paid it only under protest, yielding to superior force until the promised Messiah should relieve them of

their yoke. The Galileans above all were fierce opponents of the tax. Surely, they thought, this new Prophet in his character as a Galilean, with his Messianic pretensions and his popular sympathies, will condemn the symbol of his country's servitude. This was the chance for which they had long waited; but Jesus, knowing their hypocrisy, unmasked them with a single word. "Why do you tempt me, you hypocrites? Show me the coin of the tribute." And they brought Him a penny. "Whose image and inscription are these?" He asked. They say to Him, "Cæsar's." "Render, then, to Cæsar the things that are Cæsar's," He replies, "and to God the things that are God's."

There was a proverb in the schools of those days that in whatever place the money of a king was current, the inhabitants of that place thereby acknowledged him their ruler. Now, there were two kinds of coin then current among the Jews; the one sacred, the other profane; the one for the service of the Temple, the other for the Roman tribute and for the ordinary business of the day. Our Lord availed Himself of this distinction to formulate anew an almost forgotten truth—the difference between the two societies to which man belongs and the two most essential duties which devolve upon him. Materially, by his physical and political life, man belongs to human society, to his people and to his country; spiritually, by reason of soul and conscience, he belongs to religious society and to God.

"Render to Cæsar the things that are Cæsar's; and to God the things that are God's." This simple formulary is the basic principle of all law and order, the perfection of which is only possible through a right understanding between liberty and authority. Whenever popular feeling, always chafing under restraint, allows itself to be carried away by the spirit of rebellion, it is held in check by the duty of rendering to Cæsar the things that are Cæsar's. And whenever political authority, naturally inclined toward despotism, would force itself into the domain of conscience, it is met by the counter obligation of rendering to God the things that are God's.

The policy of the Catholic Church, based upon the teachings of her Divine Founder, remains the same throughout all ages. She requires of her children no allegiance to a foreign power, but an unstinted devotion and a self-sacrificing love for their own country. "My kingdom," says Christ Himself, "is not of this world." So we, too, have a kingdom over which the government has no control, but it is not of this world. We render to God the things that are God's; at the same time we render to the civil authority all that even Cæsar could demand. In spiritualities, the Church; in temporalities, the State. Such is our motto, and the illustrious Leo XIII. has well said that "Between the duties which they

respectively enjoin neither can come into collision with the other." He serves his country best who keeps the Faith.

The one political tenet of the Catholic Church is obedience to lawfully constituted authority. She demands of her adherents respect for their superiors and support for the established government; she insists that her followers exercise their civic rights according to the dictates of conscience and that they rank themselves always on the side of justice and morality. She holds, according to the teaching of St. Paul, that "There is no authority except from God;" consequently that obedience to the civil power in matters which pertain to its jurisdiction is an obligation which binds in conscience, and the sacrifice of private interests—even of life itself—for the honor and integrity of the nation is not a matter of choice but of solemn duty.

In time of peace and prosperity we, of all peoples, are apt to grow materialistic and to place our personal welfare above and beyond everything else in life. Our American people, however, have the happy faculty of rising to an emergency in a way that astonishes the world. In spite of outward appearances, there dwells deep down within us all something nobler than personal interests, than personal kinships, than party feeling, and this is the need and the will to devote ourselves to that more general interest which we call the Common Weal, the Commonwealth, the Republic or the State. This profound will, this spirit of self-sacrifice is the virtue we call Patriotism.

Our country is not a mere concourse of individuals or of families dwelling on the same soil, holding relations more or less intimate, of business, of pleasure, of memories—happy or unhappy. It is, rather, an association of living souls subject to a social organization which must be defended at all cost, even the cost of blood, under the leadership of those who have been chosen to preside over its destinies. And it is because of this general spirit that the people of a country live a common life in the present, through the past, and in the hopes and aspirations of the future. The spirit of Patriotism, the organic bond which holds together the members of a nation, has always been placed by the finest thinkers at the head of the natural virtues. And the religion of Christ makes of Patriotism a positive law; there is no perfect Christian who is not also a perfect patriot. According to the teaching of St. Thomas Aquinas, family interests, class interests, party interests, and the material good of the individual take their place in the scale of values below the ideal of Patriotism. In the light of this teaching, and it is Catholic doctrine, Patriotism is seen in its religious character; it is a sacred thing, and a violation of national dignity is, in a manner, a profanation and a sacrilege.

As a necessary corollary to this doctrine of Patriotism there devolves upon every citizen a duty to revere and respect the emblem which typifies the nation's sovereignty. The intrinsic value of yonder flag can be measured in dollars and cents, but the things for which it stands are priceless. Just as in the Catholic devotion to the saints and reverence for their relics or their images, we consider not the picture or the graven figure but the reality and the history which they recall to mind; so in our respect for the Flag we heed not the bunting which may be purchased for a mere pittance, but turn our thoughts rather to the ideals for which it stands and the glorious history which has been its portion. And yet the emblem itself, because of its symbolism, is worthy of our utmost reverence. Who can gaze upon those broad stripes and bright stars without feeling his heart beat faster and the blood course more quickly through his veins? When you see it floating proudly to the breeze, whether in the quiet of a peaceful day or amid the smoke of battle, are not your aspirations raised to a higher level by the wealth of meaning suggested in its majestic coloring? The Red, emblematic of the blood of heroes; the White, indicative of the sincerity of purpose which has always characterized our national aims and aspirations; the bright Stars on a field of Blue, tokens of hope to the oppressed of all the world. All this and more is contained in that banner which you bless this morning under such splendid auspices.

There is still another duty devolving upon us because of the love we bear our country and the reverence we owe its Flag, and that is respect for the uniform of its brave defenders and a serious effort to surround them with every comfort consistent with military discipline. At the present moment we are greeted with the sight of a nation grown hysterical almost to the point of folly over those who have sprung from the work-shop, the mine, the factory and the farm at the first call of danger and in support of our vaunted freedom. This is, perhaps, quite natural; yet the true patriot is he who, even in time of tranquillity and peace, looks upon the military and naval service of his country, not as a refuge for the unruly or the vicious, but rather as a work for men with red blood in their veins and the love of true liberty in their hearts. Pardon me if I express myself strongly in this matter, but there is little of true Patriotism in the hearts of those who turn out fifty thousand strong to watch with morbid interest the funeral of a dead hero and at the same moment would refuse the hospitality of their homes to the men who wear the khaki or the blue. I know that such conditions do not prevail now. But is not the change due largely to a spirit of selfishness? A realization that our homes and our very lives are in danger?

How tersely, yet how eloquently the poet-laureate of the service expresses this idea.

> "It's Tommy this, and Tommy that, and chuck 'im out, the brute,
> But it's thin red line of heroes when the guns begin to shoot."

Show me the man who at all times and under any conditions will go out of his way to greet the man in uniform and to extend the glad hand of fellowship, and I'll show you the man upon whom the country can depend in time of peril or when danger threatens.

What arrant nonsense we hear from time to time concerning the moral conditions which prevail in army camps or in training posts. If the word of one who has lived the life, the testimony of one who has shared their joys and sorrows, be of any value in helping you form a true estimate of the real worth of our gallant boys—then you will pay no heed to these foul mouthings of irresponsible and self-appointed reformers. An experience of many years has forced upon me the conclusion—not unwillingly, I assure you—that there cannot be found anywhere a finer, cleaner type of young manhood than in our American Army and Navy. That such may continue to be the case, that the type may be improved if possible, depends in large measure upon your wholehearted coöperation and support. Your duty is not ended when you have knitted a sweater or a scarf, filled a comfort bag or furnished your quota of "smokes." Moral support, personal friendship, a cheery word, a helpful letter—all these have a value which only one who has been in the service can fully appreciate. Neither ought you forget those contributions of a financial nature which render possible a continuance of the magnificent work so splendidly undertaken by various societies for the care of the sick and wounded, or the supplying of healthy recreation and amusement. These are the side lights of war, if you will; yet they serve to dim the glare of the rockets and soften the screech of the bursting shell. They help to bring your loved ones to the supreme test clean in body and pure in soul and, thus, to fit them for that everlasting peace which their heroic sacrifice merits. Throw out your Service Flag to the breeze and with it send forth your heart's best love and your soul's fondest affection to those whom its bright stars so vividly recall. Add to the number should the need arise and, if God in His wisdom and mercy require of them the sacrifice of all they hold most dear, let your grief be tempered with joy; not mere earthly joy, but rather that spiritual rejoicing which must fill every heart, even that of the sorrowing parents, when they realize that their flesh and blood can rise beyond mere personal ambition in the cause of justice and in defense of the hearths and altars of their country.

It may seem strange that in our supposedly advanced state of civilization recourse to arms should be necessary; yet, so it is and justly so. A nation, giant-like in its material strength, has encroached upon the rights of others, and its rulers, arrogating unto themselves the things that are God's, have claimed for Cæsar's dominion over both soul and body. This is no mere rhetorical flourish but a plain statement of fact. In confirmation thereof we need only quote the words addressed by the present Emperor of Germany to a body of military recruits: "You are now my soldiers. You have given yourselves to me body and soul. There is now but one enemy for you and that is my enemy." There can be only one result accruing to the world from doctrines such as this, the clash of arms and the upheaval of Christian civilization. Do not imagine, however, that we are in this war for altruistic reasons or in defense of foreign nations. We are in it, despite every honorable effort to hold aloof, because our economic life has been disturbed by the machinations of an insidious foe, because our women and children have been ruthlessly slaughtered, because our Flag has been insulted and the lives of our citizens imperiled and destroyed on the high seas, because our sovereignty and our honor have been impugned. Show me the man who says we ought not to have entered the conflict and I'll show you the poltroon and the coward. Point out the individual who wishes disaster to any of our Allies and I'll brand him a traitor. We are now fighting in the holiest cause the world has known since the first Crusade; fighting, not for glory nor for empire, but fighting for justice and humanity; nay more, fighting in defense of home and kindred, fighting for the principles which our forefathers shed their blood to establish and perpetuate, fighting for the integrity and the honor of our beloved country.

God bless you, then, for this beautiful celebration of to-day. It proves beyond doubt that there are no secret enemies among you and that you are prepared to "do your bit" to further the noble cause to which our honor and our treasure are pledged. Whilst we sit here in security, let us not forget that our Flag has already been carried over the top and its brave defenders now lie in the damp and cold of the shell-torn trenches. A feeling of heartfelt sorrow should mingle with your joy, whilst from your inmost heart you breathe forth a prayer to the God of Mercy for your loved ones beyond the sea.

Faithful alike to Christ and Cæsar, such is the duty of every citizen. Love of country is not merely a patriotic duty, but an obligation binding in conscience; and no church or organization insists upon this doctrine more earnestly than the Catholic Church. We who know her best can assert without fear of contradiction that there is not in this great land

of ours a Catholic school or a Catholic society or a Catholic leader of men but instils into the hearts of our youth a chivalrous love for those two maidens fair under whose banners every true knight must be enrolled and at whose beck every hero must accept the gage of battle: the one, old as the centuries, yet ever young; the light of truth illumining her countenance; the scars of battle gleaming on her brow like diadems of surpassing glory; her fair form girt with the shield of Faith and wrapped in the mantle of Virtue; the infallible Church of God. The other, strong with the vigor of youth; her features resplendent with the very joy of living; her eyes darting forth a message of freedom to the oppressed of all the earth; her hand holding aloft the torch of Liberty; her wondrous presence shielded by an emblem—Old Glory there—which has never yet been trailed in the dust, and which, with the help of men like you, never will; Columbia, Queen of the Western Sea.

In conclusion let me remind you that your country has given to the world the basic principles of human freedom. While float the Stars and Stripes, these principles are safe; when hauled down in surrender, tyranny shall resume its sway. Yours it is to determine the result. Which shall it be? We are now engaged in the most titanic struggle history has ever known, bent on safeguarding the doctrines of liberty and extending their application to peoples less favored than ourselves. Stand ready, then, to give your life's blood, if necessary, in so holy a cause; for, upon you, young men and others like you, it rests to see that "Government of the people, for the people, and by the people shall not perish from the earth." Such is our interpretation of those words of the Master, "Render to Cæsar the things that are Cæsar's, and to God the things that are God's."

§ 90

A MAN'S SOUL AND HIS WORLD

By William Jewett Tucker

(Sermon delivered in Dartmouth College Chapel.)

"What is a man profited if he shall gain the whole world, and lose his own soul?"—MATTHEW xvi, 26.

It is among the traditions of the classroom of Mark Hopkins, I have been told, that he once put the question of our Lord to his class in this way: "You would like to have the world, as much of it at least as you want. Would you be willing to have the world, all of it that you want, and be deaf? Perhaps you would.

"Would you be willing to have the world, all of it that you want, and be deaf and dumb? Perhaps you would.

"Would you be willing to have the world, all of it that you want, and be deaf and dumb and blind? Perhaps you would, but I doubt it: for the time comes in such a reckoning when you must face the issue of being or having."

This question of Jesus, if put before men as an alternative, can have but one answer. There is such a radical difference between being and having that few men will deliberately sacrifice anything which they feel to be a vital part of themselves for things that lie outside themselves. It requires very little reasoning to understand that the loss of a sense means a corresponding loss of the world, that it takes so much out of the value of things for which the exchange is made. And as men go deeper in their reasoning they can see that the principle acts with increasing force the farther it reaches below the range of the senses. No one of you believes, on second thought, that you could use or enjoy the world without a conscience any better than you could without sight. You can see that the world is not the same object of pleasurable desire with those in whom the moral sense has been reduced or enfeebled, just as you can see the loss to those who suffer from physical disabilities.

We may assume, I think, that there is substantial agreement, so far as the principle goes, that a man cannot afford the world at the cost of his soul. But in any endeavor to apply the principle we find ourselves confronted at once with the very practical difficulty that as everyone

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of us has his soul, so everyone of us has his world. Naturally and rightly we wish to make the best of each. Interpreting the common desire by our own desires, we are not to think that the average man wishes to throw away his soul any more than he wishes to give over one of his senses. That is not the way in which men lose their souls. Neither are we to think that the average man ought to throw away the world in so far as it is his world. To entertain this opinion seriously would carry us back into the narrowest type of medievalism.

What, then, shall we say is the true and proper relation of a man's soul to *his* world?

If we had been present when our Lord put the question now before us, we should doubtless have wished to say to Him,—"Master, must a man lose his soul in trying to gain his world? You say, 'if a man gain the whole world and lose his own soul.' Is that the alternative? Must a man lose either his soul or his world?"

It seems, I say, as if we should have wished to put this direct question to our Lord, had we heard the words which fell from his lips. But why should anyone to-day doubt the answer in the light of his after teachings, or in the light of his whole personal life? Christianity, as it comes to us from Him, does not mean other-worldliness. It does not mean medievalism, the monk's world. Nothing is further from the spirit or the word of Christ than any mockery of man in his relation to his world. The world element in our lives may waken the pity of Christ, it is so transient; it may call out his warnings, it has in it such possibilities of evil; but nowhere does He speak of it in contempt, or in scorn, or in hate. A man's world may represent that which he has rescued from the fleeting years, that which he has conquered from the grasp of evil; or, it may represent the honorable accumulations and earnings of his life, the very increment of his soul, his knowledge, his work, his friends, his plans and struggles and hopes, against which his soul can have no contention, and from which it can suffer no loss.

And there is a sense, truer even than that in which we have the world by gain or conquest, in which we have it by original endowment, just as we have our souls at the hand of God. The prodigal was right when he said, "Father, give me the portion of goods which falleth to me." His sin consisted in that he gathered all together and took his journey into a far country and wasted his substance in riotous living. Had he remained at home he would have heard for himself the word which came to his brother,—"Son, thou art ever with me, and all that I have is thine." We make the fatal concession when we yield our rights of ownership in this world. There was the very point of Christ's temptation and of his victory. When the tempter came to Him, and showed

to Him the kingdoms of the world, and said to Him, "All these things will I give thee, if thou wilt fall down and worship me," he overreached and betrayed himself. The answer of Christ was instant.

"Thou shalt worship the Lord thy God, and Him only shalt thou serve." This world is God's world. It goes with the worship of Him. It belongs to His worshipers. So Christ met his temptation. He saw at once the unreality and sham of it. The tempter stood before Him with the offer of something which was not his to give. It was a piece of bold, naked assumption. Christ saw the deception, and met the deceiver with the word of rightful authority. The usurper of this world found himself in the presence of the true heir and master of the world, and in this capacity the representative of humanity. That was the issue of the final temptation of our Lord.

But as for us, we are still deceived and betrayed. We acknowledge at once the evil ownership. We allow the assumption that the world has gone out of the hands of God, and therefore out of our hands as God's children, and having made this fatal allowance we naturally begin to ask at what price we can get back the part of it which we want. And so concession follows concession. The premise once granted, there is no rescue from the inexorable logic. Nothing then remains to a man who wants the world except the surrender of so much of his manhood as seems necessary to the attainment of his object. Here we have the explanation of the choices of many men. One profession, or business, or calling, is chosen rather than another, because it is assumed that the less Christian a man's profession or business or calling is, the more of the world there is in it. And this choice made, then the method of the profession or business or calling follows the same assumption. It is the next logical step to assume that the less Christian the method is the more of the world will be the result. So the principle of exchange becomes a recognized principle. Christ saw it at work in his day. Anybody can see it at work still. There are few men, I believe, who go into their various pursuits without the latent feeling that concession or compromise may at some time become necessary to success. Some resolve that when the issue comes they will sacrifice success. Others go through life without raising any clear or sharp moral issue. If they lose morally, the losses are gradual and unnoted. All that can be said of such men is that their character lacks fiber or tone. Here and there a man sees the issue, accepts the assumed condition, and deliberately surrenders his manhood. He takes his soul into the market place, puts his price upon it, and sells it. Hence the constant succession of tragedies in the life of a great city. Transactions of this sort do not appear in

the quotations of the markets, but exchanges are none the less made and put on record.

Now a right theory of life will not insure right conduct. Wrong theories of life are much more sure to produce wrong conduct. My contention therefore is against the theory that a man cannot save his soul and his world. The issue is a false one. I protest against it in the name of religion. Consider what it means. It means that human life is nothing but a dilemma. Turn which way a man will, he faces loss. The game is against him. Do you believe this to be the moral situation? Does this accord with your conception of God, the Father Almighty, Maker of Heaven and Earth? Does it seem to you to fit any rational idea of a moral government? Is it a fact? Does God send his children here to face the alternative of a lost soul or a lost world? Does He cast them into this dilemma and then withdraw to watch the fatal struggle? Is this a possible conception of God, of religion, of the moral significance of human life? The statement of the theory refutes it.

I am not content, however, with any refutation of the theory. We need a theory of human life which is positive, consistent, and satisfying. Consistent, I say, as well as satisfying. We know that we do not want to be unsuccessful good men. The unsuccessful good man is not the normal type. The normal type is the successful good man. Modern Christianity is trying to produce this type. In other words, it is trying to save the world, not simply to save the souls of men out of the world. Medieval Christianity said that this was an impossible task, and gave it up. It took men out of the world, and shut them up in monasteries in protest against the grossness and violence of the times. Modern Christianity says that the task is not impossible, that it ought to be done, that it can be done, that it is being done. In proof of its faith it points to the process now going on, the organization of the world in the interest of righteousness. That is the meaning of good government, of good law, of good literature, of good business. There are failures enough to discourage some men, and to make others cynical and scornful. It is no easy task. But it is no harder than trying to save souls without saving the world. It is the peculiar task of the strong man of to-day, strong in intelligence as well as in purpose. The training of such a man, if it is worth anything, ought to give him the advantage of estimating values at their actual worth. He ought to be able to defend himself against the cheap, smart, superficial side of the world. He ought to know the difference between a professional success that has a value which cannot be fully expressed in money, and a professional success that has no other value than money, or its equivalent in something as transient. Every calling has two sides,—law, journalism, medicine, the

ministry. Each and everyone of them, and every kind of business, has a part which can be organized into the righteousness of the world. Each and everyone of them, and every kind of business, has a part which can be used to the loss of soul, with no real gain of the world. Suppose a preacher is vain, insincere, self-seeking, greedy of place or of applause, and uses his ministry to these lower ends. Can he not hear the diviner voice, the voice of the world, even, which is saying to him in moments of reality, "Come up higher; leave the low plane of your foolish ambitions and take to the heights of your calling?" Suppose the calling is law, or journalism, or the public service, and one puts it to second uses and gets the rewards of second uses, does not his trained nature revolt at the use and at the reward? If it does not, then his training has only made him a mere expert worldling. It simply enables him to grovel a little more successfully than the untrained man at his side. Or suppose one deals at first hand in money. Money is his business. Does he not know that money has two sides, one clean, spotless, bright; the other dirty, foul, and black? Is it any satisfaction to him that one dollar will buy as much of some things as the other, when he knows that it will not buy honor, respect, or gratitude from one human heart?

Yes, modern Christianity is making some things plain. It is showing that there are two ways of doing the same outward thing, and in so far as it can make the difference clear, it is redeeming the world by challenging all newcomers to take the better way. I cannot be mistaken in assuming that each new generation does something to make the world more worthy of the ambitions of men. If not, if we are bringing up men without moral vision, who have no power to strive by the better method, who must succumb after a little, and swell the volume of the thoughtless, indifferent, self-seeking throng, then we need to revise our training quite as much on the intellectual as on the moral side. The Scriptures use good, honest, searching language about men who do not know enough not to be deceived and snared and caught in the mere temptations of worldliness. They tell a man in one way or another that he is a fool; or, as in the calmer speech of our Lord, they put him to a reckoning of the profit that may be expected to come from that world which has been bought at the loss of soul. To every man who is taking hold upon life in the spirit of mere calculation, who is trifling with this principle of exchange, the words of our Lord come with as vivid and startling force as when they were uttered. What is your profit? What have you when you have your world, and miss your soul?

Let us go back for a moment into the calculation. You are thinking perhaps of the analogy with which I began my sermon, between the loss of physical power and the loss of moral power. And you may be ready

to say—But we do take physical risk; we do make physical losses to secure outward ends. Why should we not take moral risks on occasion, if need be, allow some moral concessions and sacrifices? I answer the question by asking you to compare the relative effect of each loss in a man's own thought and consciousness. One may give up physical strength, he may surrender years of his life, and glory in the sacrifice. So men go out from us year by year to battle with the darkness and cold of the North, leaving behind them, if they return, they know not how many years of their lives. So men went out from us a generation ago, to return from distant battlefields maimed and wounded, living still among us in unaffected pride and honor, as they recall the sacrifice. Do you know the man, or if you know him would you take his place, who is wont to point with like pride to the moral losses which stand for his world? Do you know a man of fortune, if that fortune has been gained by fraud, who delights to call up the men whom he has cheated, and exhibit them as his victims? Do you know a man who has risen to any heights of statesmanship, if his early career had been marked by corruption, who delights to uncover his early practices and glory in them? Do you know a man, save the veriest profligate, who delights to hold up the hearts which he has betrayed and shamed? Such men do exist. Would you take the place of any one of them?

And yet we are in constant danger of forgetting that it is the soul in us which makes the world desirable. When that is reduced, the world is reduced; when that is gone, the world is gone. The parable of our Lord spoken to this point has its constant illustration before our eyes. Someone who has been putting this principle of exchange into practice reaches the time when he can pull down his barns and build greater, and then begin to say to his soul: "Soul, take thine ease, eat, drink, and be merry." But the soul answers him not a word. It is dumb and dead. And the man goes about among his possessions, solitary and empty. The world looks on in pity or contempt, and says that he has overdone the matter. At what point in the process of this exchange of his soul for the world did he begin to overdo the matter?

And not only are we in danger of forgetting that it is the soul in us which makes the world desirable, we are more apt to forget that it is the soul in the world which makes it desirable. Take that out, and the world loses its value in our eyes for the lowest purposes. To use the extremest form of statement, it is the virtue there is in the world which make vice attractive. Take the virtue out of a city, let vice walk the streets shamelessly and unrebuked, and every profligate, at least of wealth, would leave the city for another in which there was virtue enough to make vice a temptation. Take law out of a city, and every cheat and

defrauder would leave that city for another where there was law enough to make it an object to practise his fraud. No, the world which men sometimes think they want, a world without a conscience, is an impossible world. It does not exist. If it did exist, they would not want it. The plain truth is, that turn the question of our Lord as we will, reduce it to whatever conditions we can imagine, apply it to any possible situation in our lives, it has but one answer. The world, without the soul there is in it, or the world gained through the loss of soul, is not valuable, it is not desirable. And the advantage of an education, if it have any moral advantage, consists in this, that it enables its possessor to find out and anticipate by his intelligence what others may be obliged to learn by experience.

But the question resting upon this alternative is not now before us. If it is, it is because we raise the issue. The alternative, the dilemma, if it exists, is our own, not of God. The "if" with which Christ opens his question is not of his invention, but forced upon his attention by the practices of men. The true question, perplexing it may be in some of its details, but noble and inspiring in its broad utterance, is that which we have been considering: What is the true and proper relation of a man's soul to *his* world? It grows nobler and more inspiring, as it falls upon the ears of each succeeding generation. For it is becoming more manifestly clear that it is the business of every man according to his conscience to save his soul, and according to his intelligence to save his world. There is no contradiction, provided every man learns how to save his world with and for his soul. The soul is here for a purpose —here rather than somewhere else—and that purpose is not simply to save itself from the world, but to save itself and its world. Even the question of personal salvation is not what we are saved from, but also what we take up with us in the process of our salvation. You send your ship to sail the sea. It comes back to you almost a wreck, the cargo lost, and with only enough of the crew left to bring the dismantled hulk into port. That may be a grand sight. It may tell its own story of suffering and peril and heroism. A whole city may turn out before it in welcome. But that was not the object for which you sent your ship to sail the sea. You awaited its return, freighted with the riches for which you built the ship and picked your crew to man it. God sends a soul into this world, and it comes back to Him almost a loss, alone, and empty-handed. That may be a grand sight. It may tell its own story of temptation and struggle and victory, a scarred soul, but saved. All heaven may turn out to give it welcome. But that was not the end for which God sent that soul into the world. He awaited its return, rich with the earnings of the years of time. Heaven, it is a common saying, is reserved

for those who fail here. Men may so fail here that there are no places in heaven too high for them. But men may so succeed here as to enrich heaven. I read in the vision of the Holy City: "They shall bring the glory and the honor of the nations into it." That is the honorable, the legitimate, the actual contribution of this world to heaven.

Who can compute the earnings of great souls? Who can estimate their holdings in this wealth of the nations? There is no way except to trace effects which we most value back to their causes, back to the men who produced them. These are the men who in their time left their stamp upon their fellow men and upon events, who widened the paths of justice and of mercy, who led the way to the heights of statesmanship, who carried the light of learning and of religion into dark lands, who consecrated wealth by their methods of bestowing it; men who knew their honest rights in the world, and dared to maintain them; who forced their way across disputed territory, and held the ground for us to occupy till we too were ready to advance. A college ought to stand for this forward movement in the world. There is a world not only of living men, but of living forces. The world means organized power. Men call it the power of church, or state, the power of party, the power of the press, the power of capital, the power of education; they give it a hundred names, and they are all real. They stand for facts. And these forces represent our world. We cannot ignore them. If we want to save men, to help them in body and soul; if we want to take part in the social endeavor and ministry of our time, the hope of doing any really great good lies in the forces which we possess. The man who is afraid of this intervening world, or misunderstands it, or underestimates its moral value, will certainly lose it. And he who loses his world, will lose the thing of greatest value to him and to other men next to his soul.

PART FIVE

LECTURES

CHAPTER XVII

LECTURES

§ 91

THE FUNDAMENTAL ERROR OF ENGLISH COLONIAL AGGRANDIZEMENT

By William Ewart Gladstone

(Delivered at the City Hall, Glasgow, November 1, 1865, on the Presentation of the Freedom of that City to Mr. Gladstone.)

I need hardly tell you that it is with the liveliest and deepest feelings of satisfaction that I accept from your hands, my lord, the gift you have been pleased to present to me, to be preserved, I hope, for many long years, among the records and the treasures of my family. I have no doubt—indeed, I feel too well assured—that a critical judgment might find ample scope for remark upon the too flattering terms in which you have been pleased to advert to my public conduct, but still I presume to say that such acknowledgments as you are pleased to make on occasions like the present, of the feeble and humble efforts of any individual to render services to his country, are the choicest rewards that we can receive for the past, and are the greatest encouragements and incentives, the greatest and most powerful aids for the future. But such occasions lead us to review the position in which we stand, and to reflect upon that which has been and that which is to be; and perhaps it might at first sight appear strange if upon an occasion so joyous, when I have received at your hands an honor so deeply valued, I confess to you that a powerful, perhaps a predominant, feeling in my mind at the present juncture is a feeling of solitariness in the struggles and in the career of public life. The Lord Provost has alluded briefly, but touchingly and justly alluded, to the loss we have just sustained, and has intimated to you that the covenant which brings me before you was a covenant concluded before that loss had taken place; but, indeed, the restrospect of the last five years is in this regard a touching and melancholy retrospect. Sad, numerous, and wide have been the blanks which death has made

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in the ranks of our public men, and not alone of our official public men, for many in this country are the public men, many are the statesmen who render true and vital service to the land, but who have never touched a public salary. Within these five years we have lost him whom I must name as the most illustrious in his position and his office—the beloved husband of our Queen, revered, admired, loved by all classes of the community, and one whose departure from this mortal home has inflicted on the Sovereign so dear to our hearts a loss that never on this side the grave can be repaired. I pass from the Prince Consort to another name, widely, indeed, separated from him in social rank, but yet a name which is great at this moment in the esteem of the country, and which will be forever great in its annals; I mean the name of Richard Cobden—so simple, so true, so brave, and so farseeing a man, who knew how to associate himself at their very root with the deep interests of the community in which he lived, and to whom it was given to achieve, through the moral force of reason and persuasion, numerous triumphs that have made his name immortal. But if I look to the ranks of official life, perhaps it may cause even surprise, though we know that our losses have been heavy, when I say that my own recollection supplies me—and there may be more which that recollection does not suggest—that my own recollection supplies me with the names of no less than seventeen persons who have died within the last five years, and whose duty and privilege it was to advise the Sovereign as members of the Government of this country. As to the last of these men, the distinguished man whose loss at this moment the whole community in every class and in every corner of the land deeply and sincerely deplores, we have this consolation: that it had pleased the Almighty to afford him strength and courage which carried him to a ripe old age in the active service of his country. It has not been so with all. It has been my lot to follow to the grave several of those distinguished men who have been called away from the scene of their honorable labors—not, indeed, before they had acquired the esteem and confidence of the country, but still at a period when the minds and expectations of their fellow-countrymen were fondly fixed upon the thought of what they might yet achieve for the public good. Two of your own countrymen, Lord Elgin and Lord Dalhousie, Lord Canning, Lord Herbert, Sir George Cornewall Lewis, and the Duke of Newcastle, by some singular dispensation of Providence, have been swept away in the full maturity of their faculties, and in the early stages of middle life—a body of men strong enough of themselves in all the gifts of wisdom and of knowledge, of experience and of eloquence, to have equipped a cabinet for the service of the country.

And, therefore, my lord, when I look back upon the years that have

passed, though they have been joyful years in many respects, because they have been years in which the Parliament of this country has earned fresh and numerous titles to the augmented confidence of its citizens, they are also mournful in that I seem to see the long procession of the figures of the dead, and I feel that those who are left behind are in one sense solitary upon the stage of public life. But, my Lord Provost, it is characteristic of this country that her people have been formed for many generations in those habits of thought and action which belong to regulated freedom, and one happy and blessed result of that description of public education is, that the country ceases to be dependent for its welfare upon this man or upon that. There never has yet been in the history of the world a nation truly free—I mean a nation that is free not only in laws and institutions but also in thoughts and acts; there has never been a nation in this sense possessed of freedom, and which has likewise had large and spreading and valuable interests, which has found a want of men to defend them. Nor, my Lord Provost, I am thankful to say, have we yet been reduced to this extremity, and I trust that I am not going beyond the liberty of an occasion such as this when, standing before you at a moment of such public interest, I venture to express my confidence personally in the state of the Government and the country. Her Majesty, well aware of the heavy loss which we have sustained, and wisely exercising her high prerogative, has chosen from among the statesmen of the country Earl Russell to fill the place of Prime Minister. I know well the inclination of those whom I am addressing, and also of the whole community, to trust more to the evidence of facts than to that of words, which may be idle and delusive, and I presume to say before you that the name of Lord Russell is in itself a pledge and a promise to a people. A man who fought for British liberty, for our institutions, and for our laws, but with a view to the strengthening of those laws—who has fought on a hundred fields for their improvement—is not likely now, when in his seventy-third honorable year, to unlearn the lesson of his whole life, to change the direction of his career, and to forfeit the inheritance which he has secured in the hearts and memories of his countrymen. Therefore, my Lord Provost, I venture to think that the country has reasonable assurance in the name of the person who has for the second time assumed the responsibility of guiding the councils of a Crown, with the aid of many experienced and distinguished persons whom I am happy to call my colleagues; I therefore hope that the country has reasonable assurance that the same wise and enlightened spirit which has for the last thirty or thirty-five years distinguished in the main the policy of British legislation, and the conduct of the Executive Government, will still continue

to be exhibited by those who will have the responsibility and direction of public affairs. My Lord Provost, if we look to the acts of the period through which we have been passing, they are, indeed, too numerous to allow of reference in detail. The acts of legislation and of government in which my share has been, if earnest, yet secondary—those acts of legislation and government have embraced almost every subject that can be of interest to a free and civilized community. In the period which our own recollection comprehends, we have seen the popular franchise wisely and temperately, yet boldly, enlarged; we have seen the education of the people immensely extended, with, at the same time, all due regard to the sanctity and integrity of religion on the one hand, and to the feelings of private conscience on the other; we have seen religious disabilities, for the most part, swept away; we have seen questions of social policy, deeply interesting and deeply momentous, asserting from year to year greater and still greater importance; we have seen, as I have said, the principle on which and the method by which taxes are taken from the people largely reconsidered and revised; and we have seen all these changes made with a view to the promotion of one great end: the freedom of intercourse, not only among the members of our own community, but also among the various members of the great human family, the nations of the world. Well, my Lord Provost, in my prime I have taken part in the struggles of political parties, and it may be my lot to continue to bear a share in them. I do not desire to shrink from them, and I will not disavow nor undervalue the use of party combinations. It is by means of party combinations as a general rule, and by those means alone, that the matured convictions of experience can find the final and distinctive expression in the form of laws and institutions; but yet party is only an instrument; it is an instrument for ends higher than itself, and those ends are the strength, the welfare, and the prosperity of our country. We may now presume to say that it is the peculiar felicity of our time that the good of each to the country is not now to be regarded, as it was in old times, as something distinct from the good of the rest of mankind; but, on the contrary, when we labor for the advancement of our countrymen we labor likewise for the advantage of the whole world. Therefore, my Lord Provost, when I look back on the numberless changes in these various chapters of legislative and constitutional improvement, I confess that the most fertile result of all—although I have no desire to disparage the others, for they are intimately woven together, as it were, with a silver cord—the most fertile result, probably, is that which I may describe in the well-known familiar and beloved words, the promotion of free trade.

It is quite unnecessary before this audience—I may venture to say it

is unnecessary before any audience of my countrymen—to dwell at this period of our experience upon the material benefits that have resulted from free trade, upon the enormous augmentation of national power which it has produced, or even upon the increased concord which it has tended so strongly to promote throughout the various sections of the community. But it is the characteristic of the system which we so denominate, that while it comes forward with homely pretensions, and professes, in the first instance, to address itself mainly to questions of material and financial interests, yet, in point of fact, it is fraught and charged throughout with immense masses of moral, social, and political results. I will not now speak to the very large measure of those results which are domestic, but I would ask you to consider with me for a few moments the effect of the system of unrestricted intercourse upon the happiness of the human family at large. Now, as far as that happiness is connected with the movements of nations, war has been its great implement. And what have been the great causes of wars? They do not come upon the world by an inevitable necessity, or through a providential visitation. They are not to be compared with pestilences and famines, even; in that respect, though, we have learned, and justly learned, that much of what we have been accustomed to call providential visitation is owing to our neglect of the wise and prudent means which man ought to find in the just exercise of his faculties for the avoidance of calamity; but with respect to wars, they are the direct and universal consequence of the unrestricted, too commonly of the unbridled, passions and lusts of men. If we go back to a very early period of society, we find a state of things in which, as between one individual and another, no law obtained—a state of things in which the first idea almost of those who desired to better their condition was simply to better it by the abstraction of their neighbor's property. In the early periods of society, piracy and unrestrained freebooting among individuals were what wars, for the most part, have been in the more advanced periods of human history. Why, what is the case with a war? It is a case in which both cannot be right, but in which both may be wrong. I believe if the impartiality of the historian survey a very large proportion of the wars that have desolated the world—some, indeed, there may be, and undoubtedly there have been, in which the arm of valor has been raised simply for the cause of freedom and justice—that the most of them will be found to belong to that less satisfactory category in which folly, passion, greediness, on both sides, have led to effects which afterwards, when too late, have been so much deplored. We have had in the history of the world religious wars. The period of these wars I trust we have now outlived. I am not at all sure that

there was not quite as much to be said for them as for a great many other wars which have been recorded in the page of history. The same folly which led to the one led, in another form, to the other. We have had dynastic wars, wars of succession, in which, for long periods of years, the heads of rival families have fought over the bleeding persons of their people, to determine who should govern them. I trust we have overlived the period of wars of that class. Another class of wars, of a more dangerous and yet a more extensive description, have been territorial wars. No doubt it is a very natural, though it is a very dangerous and a very culpable sentiment, which leads nations to desire their neighbors' property, and I am sorry to think that we have had examples—perhaps we have an example even at this moment before our eyes—to show that even in the most civilized parts of the world, even in the midst of the oldest civilization upon the continent of Europe, that thirst for territorial acquisition is not yet extinct. But I wish to call your attention to a peculiar form in which, during the later part of human history, this thirst for territorial acquisition became an extensive cause of bloodshed. It was when the colonizing power took possession of the European nations. It seems that the world was not wide enough for them. One would have thought, upon looking over the broad places of the earth, and thinking how small a portion of them is even now profitably occupied, and how much smaller a portion of them a century or two centuries ago—one would have thought there would have been ample space for all to go and help themselves; but, notwithstanding this, we found it necessary, in the business of planting colonies, to make those colonies the cause of bloody conflicts with our neighbors; and there was at the bottom of that policy this old lust of territorial aggrandizement. When the state of things in Europe had become so far settled that that lust could not be as freely indulged as it might in barbarous times, we then carried our armaments and our passions across the Atlantic, and we fought upon American and other distant soils for the extension of our territory. That was one of the most dangerous and plausible, in my opinion, of all human errors; it was one to which a great portion of the wars of the last century was due; but had our forefathers then known, as we know now, the blessings of free commercial intercourse, all that bloodshed would have been spared. For what was the dominant idea that governed that policy? It was this, that colonizing, indeed, was a great function of European nations, but the purpose of that colonization was to reap the profits of extensive trade with the colonies which were founded, and, consequently, it was not the error of one nation or of another; it was the error of all nations alike. It was the error of Spain in Mexico, it was the error of Portugal in Brazil, it was the

error of France in Canada and Louisiana, it was the error of England in her colonies in the West Indies and her possessions in the East; and the whole idea of colonization, all the benefits of colonization, were summed up in this, that when you had planted a colony on the other side of the ocean, you were to allow that colony to trade exclusively and solely with yourselves. But from that doctrine flowed immediately all those miserable wars, because if people believed, as they then believed, that the trade with colonies must, in order to be beneficial, necessarily be exclusive, it followed that at once there arose in the mind of each country a desire to be possessed of the colonies of other countries, in order to secure the extension of this exclusive trade. In fact, my Lord Provost, I may say, such was the perversity of the misguided ingenuity of man that during the period to which I refer, he made commerce itself, which ought to be the bond and link of the human race, the cause of war and bloodshed, and wars were justified both here and elsewhere—justified when they were begun, and glorified in when they had ended—upon the ground that their object and effect had been to obtain from some other nation a colony which previously had been theirs, but which now was ours, and which, in our folly, we regarded as the sole means of extending the intercourse and the industry of our countrymen. Well, now, my Lord Provost, that was a most dangerous form of error, and for the very reason that it seemed to abandon the old doctrine of the unrestricted devastation of the world, and to contemplate a peaceful end; but I am thankful to say that we have entirely escaped from that delusion. It may be that we do not wisely when we boast ourselves over our fathers. The probability is that as their errors crept in unperceived upon them, they did not know their full responsibility; so other errors in directions as yet undetected may be creeping upon us. Modesty bids us in our comparison, whether with other ages or with other countries, to be thankful—at least, we ought to be—for the downfall of every form of error, and determined we ought to be that nothing shall be done by us to give countenance to its revival, but that we will endeavor to assist those less fortunate than ourselves in emancipating themselves from the like delusions. I need not say that as respects our colonies they have ceased to be—I would almost venture to say a possible—at any rate they have ceased to be a probable cause of war, for now we believe that the greatness of our country is best promoted in its relations with our colonies by allowing them freely and largely to enjoy every privilege that we possess ourselves; and so far from grudging it, if we find that there are plenty of American ships trading with Calcutta, we rejoice in it, because it contributes to the wealth and prosperity of our Indian empire, and we are perfectly

assured that the more that wealth and prosperity are promoted, the larger will be the share of it accruing to ourselves through the legitimate operation of the principles of trade. But the beneficial influence of free trading intercourse is far wider than this. You stated that a treaty had been made with France, and certainly a treaty with France is even in itself a measure of no small consequence; but that which gives to a measure of the kind its highest value is its tendency to produce beneficial imitations in other quarters; it is the influence which is given to the cause of freedom of trade by the great example held out by the two most powerful nations of Europe; it is the fact that in concluding that treaty we did not give to one a privilege which was withheld from another, and that our treaty with France was, in effect, a treaty with the world. And what are the moral consequences which engagements of this kind carry in their train? I know there is no part of the providential government of the world which tends more deeply to impress the mind with a sense of the profound wisdom and boundless benevolence of the Almighty than when we observe how truly and how universally great effects spring from small causes, and high effects from causes which appear to have been mean. Now, we have said that, with respect to the freedom of commercial intercourse, reduction of tariffs, abolition of duties, and readjustment of commercial laws, that these are things which, in the first instance, touch material interests, and there are some men so widely mistaken as to suppose that they touch material interests alone. There are some men, aye, and high-minded men too, who would bid you beware of such things, lest they should lead simply to the worship of Mammon. Now, the worship of Mammon is dangerous to us all, but, as far as regards the great masses, the more numerous masses of every community, that portion of the human family which at present has not much to spare in respect to the essentials of raiment, of food, and of lodging—that portion of the human family has hardly yet reached the province in which the worship of Mammon is wont to be dreaded; but that is a subject for the private conscience, and a subject of the greatest importance.

There is no doubt that an infinity of moral danger surrounds a state of things in which multitudes of men find themselves rapidly possessed of great fortunes and entirely changing their social position. I do not deny that at the proper time and in the proper place it is a subject for the most solemn consideration; but I don't think it the duty of Parliament to withhold laws which are good from any fear of their leading to the worship of Mammon. That is an argument which, if good in one case, would be urged with equal force against all blessings of Providence; for what is more dangerous to the human soul than those bless-

ings of Providence when their great author is forgotten? But, I say, it is marvelous to see how the Almighty makes provision through the satisfaction of our lower wants and appetites for the attainment of higher aims, and the relations of business are doubtless founded upon pecuniary profit, as are also the relations of the tradesmen and customers; yet what is their immediate aim? The customer wants to be supplied wherever those supplies are best and cheapest, while the tradesman seeks to dispose of them wherever they are dearest. What are the relations between the employer and the employed? The master wishes to produce as cheaply as he can, and the workman wishes to get the best wages he can. The landlord obtains the highest rent he can safely ask, and the tenant obtains his farm as cheaply as he can; and such is the rule that runs through all these pecuniary relations of life. Human beings on the two sides of the water are coming to know one another better, and to esteem one another more; they are beginning to be acquainted with one another's common interest and feeling, and to unlearn the prejudices which make us refuse to give to other nations and peoples in distant lands credit for being governed by the same motives and principles as ourselves. We may say that labeled upon all those parcels of goods there is a spark of kindly feeling from one country to the other, and the ship revolving between those lands is like the shuttle upon a loom, weaving the web of concord between the nations of the earth. Therefore I feel that that which may be in its first and in its outer aspect a merely secular work is in point of fact a work full of moral purpose, and those who have given themselves to it, either in times when the system of free trade has become prosperous, or in earlier times before those principles were accepted as they now are, could easily afford to bear the reproach that they were promoting the worship of Mammon, or that they were conversant only with the exterior and inferior interests of men. In all cases it is the quiet, unassuming prosecution of daily duty by which we best fulfil the purpose to which the Almighty has appointed us; and the task, humble as it may appear, of industry and of commerce, contemplating, in the first instance, little more than the necessities and the augmentation of our comforts, has in it nothing that prevents it from being pursued in a spirit of devotion to higher interests; and if it be honestly and well pursued, I believe that it tends, with a power quiet and silent, indeed, like the power of your vast machines, but at the same time manifold and resistless, to the mitigation of the woes and sorrows that afflict humanity, and to the acceleration of better times for the children of our race. Wars, my Lord Provost, are not to be put down by philosophical nor, I believe, even exclusively religious argument. The deepest prejudices of man and

the greatest social evils are only supplanted and undermined by causes of silent operation; and I must say that, for my own part, I am given to dwell upon the thought that the silent and tranquil operations of these causes in connection with the vast industry of this country constitute for us not only a promise of stability and material power, but likewise a mission that has been placed in our hands, that in being benefactors to ourselves we may also hope to be benefactors to the world. And, sir, I trust and I may say I feel well convinced, that the ideas upon which the whole of these movements depend are now well rooted in this country. Such prejudices as may remain adverse to freedom of industry or freedom of trade in any of its developments are, I hope and believe, gradually fading away. It is not easy to part with them, because we must admit, and especially we must admit, so far as the working classes are concerned, that the first reorganization of these principles may involve, or may appear to involve, something of a personal sacrifice; but the whole mind in this community is perfectly, I believe, fixed in the conviction that these principles are the only principles upon which a country can be justly governed; nor need I say that which is so well known, that this, at least, is a country in which the conviction of the people must be the regulator of the State. My Lord Provost, I once more thank you for the honor that you have been pleased to do me. I think that, so far as the prospects of our politics are concerned, the reference that I have made to the name of the distinguished person who has succeeded to the head of the Government is, perhaps, more becoming, and is likewise of a character to carry greater weight, than any mere professions that I could lay down before you of a desire to serve my country. It is an arduous task to which we are called.

I do not hesitate to say that the most painful, the most frequently recurring sentiments of public life must, I think, be a sense of the inadequacy of resources, inadequacy of physical strength, inadequacy of mental strength, to meet its innumerable obligations; at the same time that pain is not aggravated by a sense that our shortcomings are severely judged. We serve a sovereign whose confidence has ever been largely given to the counselors who are charged with public responsibility, and we act for a people ever ready to overlook shortcomings, to pardon errors, to construe intentions favorably, and to recognize, with a warmth and generosity beyond measure, any amount of real service that may have been conferred. We ought, therefore, to be cheerful; we ought, above all, to be grateful in the position in which we stand. And these are not mere idle words, but they are what the situation evidently demands and exacts from us all, when we assure you that it is a rich reward to come among great masses of our most cultivated and intelli-

gent fellow-citizens, to find ourselves cheered on, in our course, by acknowledgments such as that which you have given me to-day. We have little to complain of; we have much, indeed, to acknowledge with thankfulness; and, most of all, we have to delight in the recollection that the politics of this world are—perhaps very slowly, with many hindrances, many checks, many reverses, yet that upon the whole they are—gradually assuming a character which promises to be less and less one of aggression and offense; less and less one of violence and bloodshed; more and more one of general union and friendliness; more and more one connecting the common reciprocal advantages, and the common interests pervading the world, and uniting together the whole of the human family in a manner which befits rational and immortal beings, owing their existence to one Creator, and having but one hope either for this world or the next.

§ 92

THE SCHOLAR IN A REPUBLIC

By Wendell Phillips

(Address at the Centennial Anniversary of the Phi Beta Kappa of Harvard College, June 30, 1881.)

Mr. President and Brothers of the P. B. K.:—A hundred years ago our society was planted—a slip from the older root in Virginia. The parent seed, tradition says, was French—part of that conspiracy for free speech whose leaders prated democracy in the salons, while they carefully held on to the fleshpots of society by crouching low to kings and their mistresses, and whose final object of assault was Christianity itself. Voltaire gave the watchword:

"Crush the wretch"
"Écrasez l'infame."

No matter how much or how little truth there may be in the tradition: no matter what was the origin or what was the object of our society, if it had any special one, both are long since forgotten. We stand now simply a representative of free, brave, American scholarship. I emphasize *American* scholarship.

In one of those glowing, and as yet unequalled pictures which Everett drew for us, here and elsewhere, of Revolutionary scenes, I remember

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his saying that the independence we then won, if taken in its literal and narrow sense, was of no interest and little value; but, construed in the fulness of its real meaning, it bound us to a distinctive American character and purpose, to a keen sense of large responsibility, and to a generous self-devotion. It is under the shadow of such unquestioned authority that I used the term "American scholarship."

Our society was, no doubt, to some extent, a protest against the somber theology of New England, where, a hundred years ago, the atmosphere was black with sermons, and where religious speculation beat uselessly against the narrowest limits.

The first generation of Puritans—though Lowell does let Cromwell call them "a small colony of pinched fanatics"—included some men, indeed not a few, worthy to walk close to Roger Williams and Sir Harry Vane, the two men deepest in thought and bravest in speech of all who spoke English in their day, and equal to any in practical statesmanship. Sir Harry Vane—in my judgment the noblest human being who ever walked the streets of yonder city—I do not forget Franklin or Sam Adams, Washington or Fayette, Garrison or John Brown. But Vane dwells an arrow's flight above them all, and his touch consecrated the continent to measureless toleration of opinion and entire equality of rights. We are told we can find in Plato "all the intellectual life of Europe for two thousand years"; so you can find in Vane the pure gold of two hundred and fifty years of American civilization, with no particle of its dross. Plato would have welcomed him to the Academy, and Fénelon kneeled with him at the altar. He made Somers and John Marshall possible; like Carnot, he organized victory; and Milton pales before him in the stainlessness of his record. He stands among English statesmen preëminently the representative, in practice and in theory, of serene faith in the safety of trusting truth wholly to her own defense. For other men we walk backward, and throw over their memories the mantle of charity and excuse, saying reverently, "Remember the temptation and the age." But Vane's ermine has no stain; no act of his needs explanation or apology; and in thought he stands abreast of our age—like pure intellect, belongs to all time.

Carlyle said, in years when his words were worth heeding, "Young men, close your Byron, and open your Goethe." If my counsel had weight in these halls, I should say, "Young men, close your John Winthrop and Washington, your Jefferson and Webster, and open Sir Harry Vane." The generation that knew Vane gave to our Alma Mater for a seal the simple pledge: *Veritas.*

But the narrowness and poverty of colonial life soon starved out this element. Harvard was rededicated *Christo et Ecclesiæ;* and, up to the

middle of the last century, free thought in religion meant Charles Chauncy and the Brattlestreet Church protest, while free thought hardly existed anywhere else. But a single generation changed all this. A hundred years ago there were pulpits that led the popular movement; while outside of religion and of what called itself literature, industry and a jealous sense of personal freedom obeyed, in their rapid growth, the law of their natures. English common sense and those municipal institutions born of the common law, and which had saved and sheltered it, grew inevitably too large for the eggshell of English dependence, and allowed it to drop off as naturally as the chick does when she is ready. There was no change of law—nothing that could properly be called revolution; only noiseless growth, the seed bursting into flower, infancy becoming manhood. It was life, in its omnipotence, rending whatever dead matter confined it. So have I seen the tiny weeds of a luxuriant Italian spring upheave the colossal foundations of the Cæsars' palace, and leave it a mass of ruins.

But when the veil was withdrawn, what stood revealed astonished the world. It showed the undreamt power, the serene strength, of simple manhood, free from the burden and restraint of absurd institutions in church and state. The grandeur of this new Western constellation gave courage to Europe, resulting in the French Revolution, the greatest, the most unmixed, the most unstained and wholly perfect blessing Europe has had in modern times, unless we may possibly except the Reformation, and the invention of printing.

What precise effect that giant wave had when it struck our shore we can only guess. History is, for the most part, an idle amusement, the day dream of pedants and triflers. The details of events, the actors' motives, and their relation to each other, are buried with them. How impossible to learn the exact truth of what took place yesterday under your next neighbor's roof! Yet we complacently argue and speculate about matters a thousand miles off, and a thousand years ago, as if we knew them. When I was a student here, my favorite study was history. The world and affairs have shown me that one-half of history is loose conjecture, and much of the rest is the writer's opinion. But most men see facts, not with their eyes, but with their prejudices. Anyone familiar with courts will testify how rare it is for an honest man to give a perfectly correct account of a transaction. We are tempted to see facts as we think they ought to be, or wish they were. And yet journals are the favorite original sources of history. Tremble, my good friend, if your sixpenny neighbor keeps a journal. "It adds a new terror to death." You shall go down to your children not in your fair lineaments and proportions, but with the smirks, elbows, and angles he sees you with.

Journals are excellent to record the depth of the last snow and the date when the Mayflower opens; but when you come to men's motives and characters, journals are the magnets that get near the chronometer of history and make all its records worthless. You can count on the fingers of your two hands all the robust minds that ever kept journals. Only milksops and fribbles indulge in that amusement, except now and then a respectable mediocrity. One such journal nightmares New England annals, emptied into history by respectable middle-aged gentlemen, who fancy that narrowness and spleen, like poor wine, mellow into truth when they get to be a century old. But you might as well cite *The Daily Advertiser* of 1850 as authority on one of Garrison's actions.

And, after all, of what value are these minutiæ? Whether Luther's zeal was partly kindled by lack of gain from the sale of indulgences, whether Boston rebels were half smugglers and half patriots, what matters it now? Enough that he meant to wrench the gag from Europe's lips, and that they were content to suffer keenly, that we might have an untrammeled career. We can only hope to discover the great currents and massive forces which have shaped our lives; all else is trying to solve a problem of whose elements we know nothing. As the poet historian of the last generation says so plaintively, "History comes like a beggarly gleaner in the field, after Death, the great lord of the domain, has gathered the harvest, and lodged it in his garner, which no man may open."

But we may safely infer that French debate and experience broadened and encouraged our fathers. To that we undoubtedly owe, in some degree, the theoretical perfection, ingrafted on English practical sense and old forms, which marks the foundation of our republic. English civil life, up to that time, grew largely out of custom, rested almost wholly on precedent. For our model there was no authority in the record, no precedent on the file; unless you find it, perhaps, partially, in that Long Parliament bill with which Sir Harry Vane would have outgeneraled Cromwell, if the shameless soldier had not crushed it with his muskets.

Standing on Saxon foundations, and inspired, perhaps, in some degree, by Latin example, we have done what no race, no nation, no age, had before dared even to try. We have founded a republic on the unlimited suffrage of the millions. We have actually worked out the problem that man, as God created him, may be trusted with self-government. We have shown the world that a church without a bishop, and a state without a king, is an actual, real, everyday possibility. Look back over the history of the race: where will you find a chapter that precedes us in that achievement? Greece had her republics, but they were the republics of

a few freemen and subjects and many slaves; and "the battle of Marathon was fought by slaves, unchained from the doorposts of their masters' houses." Italy had her republics; they were the republics of wealth and skill and family, limited and aristocratic. The Swiss republics were groups of cousins. Holland had her republic—a republic of guilds and landholders, trusting the helm of state to property and education. And all these, which, at their best, held but a million or two within their narrow limits, have gone down in the ocean of time.

A hundred years ago our fathers announced this sublime, and, as it seemed then, foolhardy declaration, that God intended all men to be free and equal—all men, without restriction, without qualification, without limit. A hundred years have rolled away since that venturous declaration; and to-day, with a territory that joins ocean to ocean, with fifty millions of people, with two wars behind her, with the grand achievement of having grappled with the fearful disease that threatened her central life, and broken four millions of fetters, the great republic, stronger than ever, launches into the second century of her existence. The history of the world has no such chapter in its breadth, its depth, its significance, or its bearing on future history.

What Wycliffe did for religion, Jefferson and Sam Adams did for the State; they trusted it to the people. He gave the masses the Bible, the right to think. Jefferson and Sam Adams gave them the ballot, the right to rule. His intrepid advance contemplated theirs as its natural, inevitable result. Their serene faith completed the gift which the Anglo-Saxon race makes to humanity. We have not only established a new measure of the possibilities of the race; we have laid on strength, wisdom, and skill a new responsibility. Grant that each man's relations to God and his neighbor are exclusively his own concern, and that he is entitled to all the aid that will make him the best judge of these relations; that the people are the source of all power, and their measureless capacity the lever of all progress; their sense of right the court of final appeal in civil affairs; the institutions they create the only ones any power has a right to impose; that the attempt of one class to prescribe the law, the religion, the morals, or the trade of another is both unjust and harmful—and the Wycliffe and Jefferson of history mean this if they mean anything; then, when, in 1867, Parliament doubled the English franchise, Robert Lowe was right in affirming, amid the cheers of the House, "Now the first interest and duty of every Englishman is to educate the masses—our masters." Then, whoever sees farther than his neighbor is that neighbor's servant to lift him to such higher level. Then, power, ability, influence, character, virtue, are only trusts with which to serve our time.

We all agree in the duty of scholars to help those less favored in life, and that this duty of scholars to educate the mass is still more imperative in a republic, since a republic trusts the state wholly to the intelligence and moral sense of the people. The experience of the last forty years shows every man that law has no atom of strength, either in Boston or New Orleans, unless, and only so far as, public opinion indorses it, and that your life, goods, and good name rest on the moral sense, self-respect, and law-abiding mood of the men that walk the streets, and hardly a whit on the provisions of the statute book. Come, anyone of you, outside of the ranks of popular men, and you will not fail to find it so. Easy men dream that we live under a government of law. Absurd mistake! We live under a government of men and newspapers. Your first attempt to stem dominant and keenly-cherished opinions will reveal this to you.

But what is education? Of course it is not book learning. Book learning does not make five per cent. of that mass of common sense that "runs" the world, transacts its business, secures its progress, trebles its power over nature, works out in the long run a rough average justice, wears away the world's restraints, and lifts off its burdens. The ideal Yankee, who "has more brains in his hand than others have in their skulls," is not a scholar; and two-thirds of the inventions that enable France to double the world's sunshine, and make Old and New England the workshops of the world, did not come from colleges or from minds trained in the schools of science, but struggled up, forcing their way against giant obstacles, from the irrepressible instinct of untrained natural power. Her workshops, not her colleges, made England, for a while, the mistress of the world; and the hardest job her workman had was to make Oxford willing he should work his wonders.

So of moral gains. As shrewd an observer as Governor Marcy of New York often said he cared nothing for the whole press of the seaboard, representing wealth and education (he meant book learning), if it set itself against the instincts of the people. Lord Brougham, in a remarkable comment on the life of Romilly, enlarges on the fact that the great reformer of the penal law found all the legislative and all the judicial power of England, its colleges and its bar, marshaled against him, and owed his success, *as all such reforms do,* says his lordship, to public meetings and popular instinct. It would be no exaggeration to say that government itself began in usurpation, in the feudalism of the soldier and the bigotry of the priest; that liberty and civilization are only fragments of rights wrung from the strong hands of wealth and book learning. Almost all the great truths relating to society were not the result of scholarly meditation, "hiving up wisdom with each curious

year," but have been first heard in the solemn protests of martyred patriotism and the loud cries of crushed and starving labor. When common sense and the common people have stereotyped a principle into a statute, then book men come to explain how it was discovered and on what ground it rests. The world makes history, and scholars write it, one-half truly, and the other half as their prejudices blur and distort it.

New England learned more of the principles of toleration from a lyceum committee doubting the dicta of editors and bishops when they forbade it to put Theodore Parker on its platform; more from a debate whether the antislavery cause should be so far countenanced as to invite one of its advocates to lecture; from Sumner and Emerson, George William Curtis, and Edwin Whipple, refusing to speak unless a negro could buy his way into their halls as freely as any other—New England has learned more from all these lessons than she has or could have done from all the treatises on free printing from Milton and Roger Williams, through Locke, down to Stuart Mill.

Selden, the profoundest scholar of his day, affirmed, "No man is wiser for his learning"; and that was only an echo of the Saxon proverb, "No fool is a perfect fool until he learns Latin." Bancroft says of our fathers, that "the wildest theories of the human reason were reduced to practice by a community so humble that no statesman condescended to notice it, and a legislation without precedent was produced offhand by the instincts of the people." And Wordsworth testifies that, while German schools might well blush for their subserviency—

> "A few strong instincts and a few plain rules,
> Among the herdsmen of the Alps, have wrought
> More for mankind at this unhappy day
> Than all the pride of intellect and thought."

Wycliffe was, no doubt, a learned man. But the learning of his day would have burned him, had it dared, as it did burn his dead body afterwards. Luther and Melanchthon were scholars, but were repudiated by scholarship of their time, which followed Erasmus, trying "all his life to tread on eggs without breaking them"; he who proclaimed that "peaceful error was better than tempestuous truth." What would college-graduate Seward weigh, in any scale, against Lincoln bred in affairs?

Hence, I do not think the greatest things have been done for the world by its book men. Education is not the chips of arithmetic and grammar—nouns, verbs, and the multiplication table; neither is it that last year's almanac of dates, or series of lies agreed upon, which we so often mistake for history. Education is not Greek and Latin and the air pump. Still, I rate at its full value the training we get in these walls.

Though what we actually carry away is little enough, we do get some training of our powers, as the gymnast or the fencer does of his muscles; we go hence also with such general knowledge of what mankind has agreed to consider proved and settled, that we know where to reach for the weapon when we need it.

I have often thought the motto prefixed to his college library catalogue by the father of the late Professor Peirce—Professor Peirce, the largest natural genius, the man of the deepest reach and firmest grasp and widest sympathy, that God has given to Harvard in our day—whose presence made you the loftiest peak and farthest outpost of more than mere scientific thought—the magnet who, with his twin Agassiz, made Harvard for forty years the intellectual Mecca of forty States—his father's catalogue bore for a motto, *"Scire ubi aliquid invenias magnia pars eruditionis est";* and that always seemed to me to gage very nearly all we acquired at college, except facility in the use of our powers. Our influence in the community does not really spring from superior attainments, but from this thorough training of faculties, and more even, perhaps, from the deference men accord to us.

Gibbon says we have two educations: one from teachers, and the other we give ourselves. This last is the real and only education of the masses—one gotten from life, from affairs, from earning one's bread; necessity, the mother of invention; responsibility, that teaches prudence, and inspires respect for right. Mark the critic out of office—how reckless in assertion, how careless of consequences; and then the caution, forethought, and fair play of the same man charged with administration. See that young, thoughtless wife suddenly widowed—how wary and skilful! what ingenuity in guarding her child and saving his rights! Anyone who studied Europe forty or fifty years ago could not but have marked the level of talk there, far below that of our masses. It was of crops and rents, markets and marriages, scandal and fun. Watch men here, and how often you listen to the keenest discussions of right and wrong, this leader's honesty, that party's justice, the fairness of this law, the impolicy of that measure—lofty broad topics, training morals, widening views. Niebuhr said of Italy, sixty years ago, "No one feels himself a citizen. Not only are the people destitute of hope, but they have not even wishes touching the world's affairs; and hence all the springs of great and noble thoughts are choked up."

In this sense the Frémont campaign of 1856 taught Americans more than a hundred colleges; and John Brown's pulpit at Harper's Ferry was equal to any ten thousand ordinary chairs. God lifted a million of hearts to his gibbet, as the Roman cross lifted a world to itself in that divine sacrifice of two thousand years ago. As much as statesmanship

had taught in our previous eighty years, that one week of intellectual watching and weighing and dividing truth taught twenty millions of people. Yet how little, brothers, can we claim for book men in that uprising and growth of 1856! And while the first of American scholars could hardly find, in the rich vocabulary of Saxon scorn, words enough to express, amid the plaudits of his class, his loathing and contempt for John Brown, Europe thrilled to him as proof that our institutions had not lost all their native and distinctive life. She had grown tired of our parrot note and cold moonlight reflection of older civilizations. Lansdowne and Brougham could confess to Sumner that they had never read a page of their contemporary, Daniel Webster; and you spoke to vacant eyes when you named Prescott, fifty years ago, to average Europeans; while Vienna asked, with careless indifference, "Seward, who is he?" But long before our ranks marched up State Street to the John Brown song, the banks of the Seine and of the Danube hailed the new life which had given us another and nobler Washington. Lowell foresaw him when, forty years ago, he sang of—

"Truth forever on the scaffold,
Wrong forever on the throne;
Yet that scaffold sways the future:
And behind the dim unknown
Standeth God, within the shadow,
Keeping watch above his own."

And yet the book men, as a class, have not yet acknowledged him.

It is here that letters betray their lack of distinctive American character. Fifty million of men God gives us to mold; burning questions, keen debate, great interests trying to vindicate their right to be, sad wrongs brought to the bar of public judgment—these are the people's schools. Timid scholarship either shrinks from sharing in these agitations, or denounces them as vulgar and dangerous interference by incompetent hands with matters above them. A chronic distrust of the people pervades the book-educated class of the North; they shrink from that free speech which is God's normal school for educating men, throwing upon them the grave responsibility of deciding great questions, and so lifting them to a higher level of intellectual and moral life. Trust the people—the wise and the ignorant, the good and the bad—with the gravest questions, and in the end you educate the race. At the same time you secure, not perfect institutions, not necessarily good ones, but the best institutions possible while human nature is the basis and the only material to build with. Men are educated and the state uplifted by allowing all—everyone—to broach all their mistakes and advocate all

their errors. The community that will not protect its most ignorant and unpopular member in the free utterance of his opinions, no matter how false or hateful, is only a gang of slaves!"

Anacharsis went into the Archon's court of Athens, heard a case argued by the great men of that city, and saw the vote by five hundred men. Walking in the streets, someone asked him, "What do you think of Athenian liberty?" "I think," said he, "wise men argue cases, and fools decide them." Just what that timid scholar, two thousand years ago, said in the streets of Athens, that which calls itself scholarship here says to-day of popular agitation: that it lets wise men argue questions and fools decide them. But that Athens where fools decided the gravest questions of policy and of right and wrong, where property you had gathered wearily to-day might be wrung from you by the caprice of the mob to-morrow—that very Athens probably secured, for its era, the greatest amount of human happiness and nobleness; invented art, and sounded for us the depths of philosophy. God lent to it the largest intellects, and it flashes to-day the torch that gilds yet the mountain peaks of the Old World; while Egypt, the hunker conservative of antiquity, where nobody dared to differ from the priest or to be wiser than his grandfather; where men pretended to be alive, though swaddled in the grave clothes of creed and custom as close as their mummies were in linen—that Egypt is hid in the tomb it inhabited, and the intellect Athens has trained for us digs to-day those ashes to find out how buried and forgotten hunkerism lived and acted.

I knew a signal instance of this disease of scholar's distrust, and the cure was as remarkable. In boyhood and early life I was honored with the friendship of Lothrop Motley. He grew up in the thin air of Boston provincialism, and pined on such weak diet. I remember sitting with him once in the State House when he was a member of our Legislature. With biting words and a keen crayon he sketched the ludicrous points in the minds and persons of his fellow members, and, tearing up the pictures, said scornfully, "What can become of a country with such fellows as these making its laws? No safe investments; your good name lied away any hour, and little worth keeping if it were not." In vain I combated the folly. He went to Europe—spent four or five years. I met him the day he landed, on his return. As if our laughing talk in the State House had that moment ended, he took my hand with the sudden exclamation, "You were all right; I was all wrong! It *is* a country worth dying for; better still, worth living and working for, to make it all it can be!" Europe made him one of the most American of all Americans. Some five years later, when he sounded that bugle note in his letter to *The London Times,* some critics who knew his

early mood, but not its change, suspected there might be a taint of ambition in what they thought so sudden a conversion. I could testify that the mood was five years old—years before the slightest shadow of political expectation had dusked the clear mirror of his scholar life.

This distrust shows itself in the growing dislike of universal suffrage, and the efforts to destroy it made of late by all our easy classes. The white South hates universal suffrage; the so-called cultivated North distrusts it. Journal and college, social-science convention and the pulpit, discuss the propriety of restraining it. Timid scholars tell their dread of it. Carlyle, that bundle of sour prejudices, flouts universal suffrage with a blasphemy that almost equals its ignorance. See his words: "Democracy will prevail when men believe the vote of Judas as good as that of Jesus Christ." No democracy ever claimed that the vote of ignorance and crime was as good in any sense as that of wisdom and virtue. It only asserts that crime and ignorance have the same right to vote that virtue has. Only by allowing that right, and so appealing to their sense of justice, and throwing upon them the burden of their full responsibility, can we hope ever to raise crime and ignorance to the level of self-respect. The right to choose your governor rests on precisely the same foundation as the right to choose your religion; and no more arrogant or ignorant arraignment of all that is noble in the civil and religious Europe of the last five hundred years ever came from the triple crown on the Seven Hills than this sneer of the bigot Scotsman. Protestantism holds up its hands in holy horror, and tells us that the Pope scoops out the brains of his churchmen, saying, "I'll think for you; you need only obey." But the danger is, you meet such popes far away from the Seven Hills; and it is sometimes difficult at first to recognize them, for they do not by any means always wear the triple crown.

Evarts and his committee, appointed to inquire why the New York City government is a failure, were not wise enough, or did not dare, to point out the real cause, the tyranny of that tool of the demagogue, the corner grog shop; but they advised taking away the ballot from the poor citizen. But this provision would not reach the evil. Corruption does not so much rot the masses: it poisons Congress. Credit-Mobilier and money rings are not housed under thatched roofs; they flaunt at the Capitol. As usual in chemistry, the scum floats uppermost. The railway king disdained canvassing for voters: "It is cheaper," he said, "to buy legislatures."

It is not the masses who have most disgraced our political annals. I have seen many mobs between the seaboard and the Mississippi. I never saw or heard of any but well-dressed mobs, assembled and countenanced, if not always led in person, by respectability and what called itself edu-

cation. That unrivaled scholar, the first and greatest New Englander ever lent to Congress, signaled his advent by quoting the original Greek of the New Testament in support of slavery, and offering to shoulder his musket in its defense; and forty years later the last professor who went to quicken and lift the moral mood of those halls is found advising a plain, blunt, honest witness to forge and lie, that this scholarly reputation might be saved from wreck. Singular comment on Landor's sneer, that there is a spice of the scoundrel in most of our literary men. But no exacting level of property qualification for a vote would have saved those stains. In those cases Judas did not come from the unlearned class.

Grown gray over history, Macaulay prophesied twenty years ago that soon in these States the poor, worse than another inroad of Goths and Vandals, would begin a general plunder of the rich. It is enough to say that our national funds sell as well in Europe as English consols; and the universal-suffrage Union can borrow money as cheaply as great Britain, ruled, one-half by Tories, and the other half by men not certain that they dare call themselves Whigs. Some men affected to scoff at democracy as no sound basis for national debt, doubting the payment of ours. Europe not only wonders at its rapid payment, but the only taint of fraud that touches even the hem of our garment is the fraud of the capitalist cunningly adding to its burdens, and increasing unfairly the value of his bonds; not the first hint from the people of repudiating an iota even of its unjust additions.

Yet the poor and the unlearned class is the one they propose to punish by disfranchisement.

No wonder the humbler class looks on the whole scene with alarm. They see their dearest right in peril. When the easy class conspires to steal, what wonder the humbler class draws together to defend itself? True, universal suffrage is a terrible power; and, with all the great cities brought into subjection to the dangerous classes by grog, and Congress sitting to register the decrees of capital, both sides may well dread the next move. Experience proves that popular governments are the best protectors of life and property. But suppose they were not, Bancroft allows that "the fears of one class are no measure of the rights of another."

Suppose that universal suffrage endangered peace and threatened property. There is something more valuable than wealth; there is something more sacred than peace. As Humboldt says, "The finest fruit earth holds up to its Maker is a man." To ripen, lift, and educate a man is the first duty. Trade, law, learning, science, and religion are only the scaffolding wherewith to build a man. Despotism looks down into the

poor man's cradle, and knows it can crush resistance and curb ill will. Democracy sees the ballot in that baby-hand; and selfishness bids her put integrity on one side of those baby footsteps and intelligence on the other, lest her own hearth be in peril. Thank God for his method of taking bonds of wealth and culture to share all their blessings with the humblest soul he gives to their keeping! The American should cherish as serene a faith as his fathers had. Instead of seeking a coward safety by battening down the hatches and putting men back into chains, he should recognize that God places him in this peril that he may work out a noble security by concentrating all moral forces to lift this weak, rotting, and dangerous mass into sunlight and health. The fathers touched their highest level when, with stout-hearted and serene faith, they trusted God that it was safe to leave men with all the rights He gave them. Let us be worthy of their blood, and save this sheet-anchor of the race —universal suffrage—God's church, God's school, God's method of gently binding men into commonwealths in order that they may at last melt into brothers.

I urge on college-bred men, that, as a class, they fail in republican duty when they allow others to lead in the agitation of the great social questions which stir and educate the age. Agitation is an old word with a new meaning. Sir Robert Peel, the first English leader who felt himself its tool, defined it to be "marshaling the conscience of a nation to mold its laws." Its means are reason and argument—no appeal to arms. Wait patiently for the growth of public opinion. That secured, then every step taken is taken forever. An abuse once removed never reappears in history. The freer a nation becomes, the more utterly democratic in its form, the more need of this outside agitation. Parties and sects laden with the burden of securing their own success cannot afford to risk new ideas. "Predominant opinions," said Disraeli, "are the opinions of a class that is vanishing." The agitator must stand outside of organizations, with no bread to earn, no candidate to elect, no party to save, no object but truth; to tear a question open and riddle it with light.

In all modern constitutional governments, agitation is the only peaceful method of progress. Wilberforce and Clarkson, Rowland Hill and Romilly, Cobden and John Bright, Garrison and O'Connell, have been the master spirits in this new form of crusade. Rarely in this country have scholarly men joined, as a class, in these great popular schools, in these social movements which make the great interests of society "crash and jostle against each other like frigates in a storm."

It is not so much that the people need us, or will feel any lack from our absence. They can do without us. By sovereign and superabundant strength they can crush their way through all obstacles.

"They will march prospering,—not through our presence;
Songs will inspirit them,—not from our lyre;
Deeds will be done—while we boast our quiescence;
Still bidding crouch whom the rest bid aspire."

The misfortune is, we lose a God-given opportunity of making the change an unmixed good, or with the slightest possible share of evil, and are recreant beside to a special duty. These "agitations" are the opportunities and the means God offers us to refine the taste, mold the character, lift the purpose, and educate the moral sense of the masses, on whose intelligence and self-respect rests the state. God furnishes these texts. He gathers for us this audience, and only asks of our coward lips to preach the sermons.

There have been four or five of these great opportunities. The crusade against slavery—that grand hypocrisy which poisoned the national life of two generations—was one—a conflict between two civilizations which threatened to rend the Union. Almost every element among us was stirred to take a part in the battle. Every great issue, civil and moral, was involved: toleration of opinion, limits of authority, relation of citizen to law, place of the Bible, priest and layman, sphere of woman, question of race, state rights and nationality; and Channing testified that free speech and free printing owed their preservation to the struggle. But the pulpit flung the Bible at the reformer; law visited him with its penalties; society spewed him out of its mouth; bishops expurgated the pictures of their Common Prayer books; and editors omitted pages in republishing English history; even Pierpont emasculated his class book; Bancroft remodeled his chapters; and Everett carried Washington through thirty States, remembering to forget the brave words the wise Virginian had left on record warning his countrymen of this evil. Amid this battle of the giants, scholarship sat dumb for thirty years until imminent deadly peril convulsed it into action, and colleges, in their despair, gave to the army that help they had refused to the market place and the rostrum.

There was here and there an exception. That earthquake scholar at Concord, whose serene word, like a whisper among the avalanches, topples down superstitions and prejudices, was at his post, and, with half a score of others, made the exception that proved the rule. Pulpits, just so far as they could not boast of culture, and nestled closest down among the masses, were infinitely braver than the "spires and antique towers" of stately collegiate institutions.

Then came reform of penal legislation—the effort to make law mean justice, and substitute for its barbarism Christianity and civilization. In

Massachusetts Rantoul represents Beccaria and Livingston, Mackintosh and Romilly. I doubt if he ever had one word of encouragement from Massachusetts letters; and, with a single exception, I have never seen, till within a dozen years, one that could be called a scholar active in moving the Legislature to reform its code.

The London Times proclaimed, twenty years ago, that intemperance produced more idleness, crime, disease, want, and misery than all other causes put together; and *The Westminster Review* calls it a "curse that far eclipses every other calamity under which we suffer." Gladstone, speaking as Prime Minister, admitted that "greater calamities are inflicted on mankind by intemperance than by the three great historical scourges: war, pestilence, and famine." DeQuincey says, "The most remarkable instance of a combined movement in society which history, perhaps, will be summoned to notice, is that which, in our day, has applied itself to the abatement of intemperance. Two vast movements are hurrying into action by velocities continually accelerated: the great revolutionary movement from *political* causes concurring with the great *physical* movement in locomotion and social intercourse from the gigantic power of steam. At the opening of such a crisis, had no *third movement arisen of resistance to intemperate habits,* there would have been ground of despondency as to the melioration of the human race." These are English testimonies, where the state rests more than half on bayonets. Here we are trying to rest the ballot box on a drunken people. "We can rule a great city," said Sir Robert Peel, "America cannot"; and he cited the mobs of New York as sufficient proof of his assertion.

Thoughtful men see that up to this hour the government of great cities has been with us a failure; that worse than the dry rot of legislative corruption, than the rancor of party spirit, than Southern barbarism, than even the tyranny of incorporated wealth, is the giant burden of intemperance, making universal suffrage a failure and a curse in every great city. Scholars who play statesmen, and editors who masquerade as scholars, can waste much excellent anxiety that clerks shall get no office until they know the exact date of Cæsar's assassination, as well as the latitude of Pekin, and the Rule of Three. But while this crusade —the temperance movement—has been, for sixty years, gathering its facts and marshaling its arguments, rallying parties, besieging legislatures and putting great States on the witness stand as evidence of the soundness of its methods, scholars have given it nothing but a sneer. But if universal suffrage ever fails here for a time—permanently it cannot fail—it will not be incapable civil service, nor an ambitious soldier, nor Southern vandals, nor venal legislatures, nor the greed of wealth, nor boy statesmen rotten before they are ripe, that will put universal suffrage

into eclipse; it will be rum intrenched in great cities and commanding every vantage ground.

Social science affirms that woman's place in society marks the level of civilization. From its twilight in Greece, through the Italian worship of the Virgin, the dreams of chivalry, the justice of the civil law, and the equality of French society, we trace her gradual recognition; while our common law, as Lord Brougham confessed, was, with relation to women, the opprobrium of the age and of Christianity. For forty years, plain men and women, working noiselessly, have washed away that opprobrium; the statute books of thirty States have been remodeled, and woman stands to-day almost face to face with her last claim—the ballot. It has been a weary and thankless, though successful, struggle. But if there be any refuge from that ghastly curse, the vice of great cities—before which social science stands palsied and dumb—it is in this more equal recognition of woman. If, in this critical battle for universal suffrage—our fathers' noblest legacy to us, and the greatest trust God leaves in our hands—there be any weapon, which, once taken from the armory, will make victory certain, it will be, as it has been in art, literature, and society, summoning woman into the political arena.

But, at any rate, up to this point, putting suffrage aside, there can be no difference of opinion; everything born of Christianity, or allied to Grecian culture or Saxon law, must rejoice in the gain. The literary class, until half a dozen years, has taken note of this great uprising, only to fling every obstacle in its way. The first glimpse we get of Saxon blood in history is that line of Tacitus in his "Germany," which reads, "In all grave matters they consult their women." Years hence, when robust Saxon sense has flung away Jewish superstition and Eastern prejudice, and put under its foot fastidious scholarship and squeamish fashion, some second Tacitus, from the valley of the Mississippi, will answer to him of the Seven Hills, "In all grave questions we consult our women."

I used to think that then we could say to letters as Henry of Navarre wrote to the Sir Philip Sidney of his realm, Crillon, "the bravest of the brave," "We have conquered at Arques, *et tu n'y étais pas, Crillon*"—"You were not there, my Crillon." But a second thought reminds me that what claims to be literature has been always present in that battle-field, and always in the ranks of the foe.

Ireland is another touchstone which reveals to us how absurdly we masquerade in democratic trappings while we have gone to seed in tory distrust of the people; false to every duty, which, as eldest born of democratic institutions, we owe to the oppressed, and, careless of the lesson, every such movement may be made in keeping public thought

clear, keen, and fresh as to principles which are the essence of our civilization, the groundwork of all education in republics.

Sydney Smith said, "The moment Ireland is mentioned the English seem to bid adieu to common sense, and to act with the barbarity of tyrants and the fatuity of idiots." "As long as the patient will suffer, the cruel will kick. . . . If the Irish go on withholding and forbearing, and hesitating whether this is the time for discussion or that is the time, they will be laughed at another century as fools, and kicked for another century as slaves." Byron called England's union with Ireland "the union of the shark with his prey." Bentham's conclusion, from a survey of five hundred years of European history, was, "Only by making the ruling few uneasy can the oppressed many obtain a particle of relief." Edmund Burke—Burke, the noblest figure in the Parliamentary history of the last hundred years, greater than Cicero in the senate and almost Plato in the academy—Burke affirmed, a century ago, "Ireland has learnt at last that justice is to had from England, only when demanded at the sword's point." And a century later, only last year Gladstone himself proclaimed in a public address in Scotland, "England never concedes anything to Ireland except when moved to do so by fear."

When we remember these admissions, we ought to clap our hands at every fresh Irish "outrage," as a parrot press styles it; aware that it is only a far-off echo of the musket shots that rattled against the Old State House on the 5th of March, 1770, and of the war whoop that made the tiny spire of the Old South tremble when Boston rioters emptied the three India tea ships into the sea—welcome evidence of living force and rare intelligence in the victim, and a sign that the day of deliverance draws each hour nearer. Cease ringing endless changes of eulogy on the men who made North's Boston port bill a failure while every leading journal sends daily over the water wishes for the success of Gladstone's copy of the bill for Ireland. If all rightful government rests on consent—if, as the French say, you "can do almost anything with a bayonet except sit on it"—be at least consistent, and denounce the man who covers Ireland with regiments to hold up a despotism, which, within twenty months, he has confessed rests wholly upon fear.

Then note the scorn and disgust with which we gather up our garments about us and disown the Sam Adams and William Prescott, the George Washington and John Brown, of St. Petersburg, the spiritual descendants, the living representatives, of those who make our history worth anything in the world's annals—the Nihilists.

Nihilism is the righteous and honorable resistance of a people crushed under an iron rule. Nihilism is evidence of life. When "order reigns in Warsaw," it is spiritual death. Nihilism is the last weapon of victims

choked and manacled beyond all other resistance. It is crushed humanity's only means of making the oppressor tremble. God means that unjust power shall be insecure; and every move of the giant, prostrate in chains, whether it be to lift a single dagger or stir a city's revolt, is a lesson in justice. One might well tremble for the future of the race if such a despotism could exist without provoking the bloodiest resistance. I honor Nihilism; since it redeems human nature from the suspicion of being utterly vile, made up only of heartless oppressors and contented slaves. Every line in our history, every interest of civilization, bids us rejoice when the tyrant grows pale and the slave rebellious. We cannot but pity the suffering of any human being, however richly deserved; but such pity must not confuse our moral sense. Humanity gains. Chatham rejoiced when our fathers rebelled. For every single reason they alleged, Russia counts a hundred, each one ten times bitterer than any Hancock or Adams could give. Sam Johnson's standing toast in Oxford port was, "Success to the first insurrection of slaves in Jamaica," a sentiment Southey echoed. "Eschew cant," said that old moralist. But of all the cants that are canted in this canting world, though the cant of piety may be the worst, the cant of Americans bewailing Russian Nihilism is the most disgusting.

I know what reform needs, and all its needs, in a land where discussion is free, the press untrammeled, and where public halls protect debate. There, as Emerson says, "What the tender and poetic youth dreams to-day, and conjures up with inarticulate speech, is to-morrow the vociferated result of public opinion, and the day after is the charter of nations." Lieber said, in 1870, "Bismarck proclaims to-day in the Diet the very principles for which we were hunted and exiled fifty years ago." Submit to risk your daily bread, expect social ostracism, count on a mob now and then, "be in earnest, don't equivocate, don't excuse, don't retreat a single inch," and you will finally be heard. No matter how long and weary the waiting, at last—

"Ever the truth comes uppermost,
And ever is justice done.
For Humanity sweeps onward:
Where to-day the martyr stands,
On the morrow crouches Judas
With the silver in his hands;

"Far in front the cross stands ready,
And the crackling fagots burn,
While the hooting mob of yesterday

In silent awe return
To glean up the scattered ashes
Into History's golden urn."

In such a land he is doubly and trebly guilty who, except in some most extreme case, disturbs the sober rule of law and order.

But such is not Russia. In Russia there is no press, no debate, no explanation of what government does, no remonstrance allowed, no agitation of public issues. Dead silence, like that which reigns at the summit of Mont Blanc, freezes the whole empire, long ago described as "a despotism tempered by assassination." Meanwhile, such despotism has unsettled the brains of the ruling family, as unbridled power doubtless made some of the twelve Cæsars insane—a madman, sporting with the lives and comfort of a hundred million of men. The young girl whispers in her mother's ear, under a ceiled roof, her pity for a brother knouted and dragged half dead into exile for his opinions. The next week she is stripped naked, and flogged to death in the public square. No inquiry, no explanation, no trial, no protest, one dead uniform silence, the law of the tyrant. Where is there ground for any hope of peaceful change? Where the fulcrum upon which you can plant any possible lever?

Macchiavelli's sorry picture of poor human nature would be fulsome flattery if men could keep still under such oppression. No, no! in such a land dynamite and the dagger are the necessary and proper substitutes for Faneuil Hall and *The Daily Advertiser*. Anything that will make the madman quake in his bed chamber, and rouse his victims into reckless and desperate resistance. This is the only view an American, the child of 1620 and 1776, can take of Nihilism. Any other unsettles and perplexes the ethics of our civilization.

Born within sight of Bunker Hill, in a commonwealth which adopts the motto of Algernon Sidney, *sub libertate quietem* ("accept no peace without liberty")—son of Harvard, whose first pledge was "Truth," citizen of a republic based on the claim that no government is rightful unless resting on the consent of the people, and which assumes to lead in asserting the rights of humanity—I at least can say nothing else and nothing less—no, not if every tile on Cambridge roofs were a devil hooting my words!

I shall bow to any rebuke from those who hold Christianity to command entire non-resistance. But criticism from any other quarter is only that nauseous hypocrisy, which, stung by threepenny tea tax, piles Bunker Hill with granite and statues, prating all the time of patriotism and broadswords, while, like another Pecksniff, it recommends a century of

dumb submission and entire non-resistance to the Russians, who, for a hundred years, have seen their sons by thousands dragged to death or exile, no one knows which, in this worse than Venetian mystery of police, and their maidens flogged to death in the market place, and who share the same fate if they presume to ask the reason why.

"It is unfortunate," says Jefferson, "that the efforts of mankind to secure the freedom of which they have been deprived should be accompanied with violence and even with crime. But while we weep over the means, we must pray for the end." Pray fearlessly for such ends; there is no risk! "Men are all tories by nature," says Arnold, "when tolerably well off: only monstrous injustice and atrocious cruelty can rouse them." Some talk of the rashness of the uneducated classes. Alas! ignorance is far oftener obstinate than rash. Against one French Revolution—that scarecrow of the ages—weigh Asia, "carved in stone," and a thousand years of Europe, with her half dozen nations meted out and trodden down to be the dull and contented footstools of priests and kings. The customs of a thousand years ago are the sheet anchor of the passing generation, so deeply buried, so fixed, that the most violent efforts of the maddest fanatic can drag it but a hand's breadth.

Before the war Americans were like the crowd in that terrible hall of Eblis which Beckford painted for us—each man with his hand pressed on the incurable sore in his bosom, and pledged not to speak of it; compared with other lands, we were intellectually and morally a nation of cowards.

When I first entered the Roman States, a custom house official seized all my French books. In vain I held up to him a treatise by Fénelon, and explained that it was by a Catholic archbishop of Cambray. Gruffly he answered, "It makes no difference; *it is French.*" As I surrendered the volume to his remorseless grasp, I could not but honor the nation which had made its revolutionary purpose so definite that despotism feared its very language. I only wished that injustice and despotism everywhere might one day have as good cause to hate and to fear everything American.

At last that disgraceful seal of slave complicity is broken. Let us inaugurate a new departure, recognize that we are afloat on the current of Niagara—eternal vigilance the condition of our safety; that we are irrevocably pledged to the world not to go back to bolts and bars—could not if we would, and would not if we could. Never again be ours the fastidious scholarship that shrinks from rude contact with the masses. Very pleasant it is to sit high up in the world's theater and criticize the ungraceful struggles of the gladiators, shrug one's shoulders at the actors' harsh cries, and let everyone know that but for "this villainous

saltpeter you would yourself have been a soldier." But Bacon says, "In the theater of man's life, God and his angels only should be lookers-on." "Sin is not taken out of man as Eve was out of Adam, by putting him to sleep." "Very beautiful," says Richter, "is the eagle when he floats with outstretched wings aloft in the clear blue; but sublime when he plunges down through the tempest to his eyry on the cliff, where his unfledged young ones dwell and are starving." Accept proudly the analysis of Fisher Ames: "A monarchy is a man-of-war, stanch, iron ribbed, and resistless when under full sail; yet a single hidden rock sends her to the bottom. Our republic is a raft, hard to steer, and your feet always wet; but nothing can sink her." If the Alps, piled in cold and silence, be the emblem of despotism, we joyfully take the ever-restless ocean for ours—only pure because never still.

Journalism must have more self-respect. Now it praises good and bad men so indiscriminately that a good word from nine-tenths of our journals is worthless. In burying our Aaron Burrs, both political parties—in order to get the credit of magnanimity—exhaust the vocabulary of eulogy so thoroughly that there is nothing left with which to distinguish our John Jays. The love of a good name in life and a fair reputation to survive us—that strong bond to well-doing—is lost where every career, however stained, is covered with the same fulsome flattery, and where what men say in the streets is the exact opposite of what they say to each other. *De mortuis nil nisi bonum* most men translate, "Speak only good of the dead." I prefer to construe it, "Of the dead say nothing unless you can tell something good." And if the sin and the recreancy have been marked and far-reaching in their evil, even the charity of silence is not permissible.

To be as good as our fathers we must be better. They silenced their fears and subdued their prejudices, inaugurating free speech and equality with no precedent on the file. Europe shouted "Madmen!" and gave us forty years for the shipwreck. With serene faith they persevered. Let us rise to their level. Crush appetite and prohibit temptation if it rots great cities. Intrench labor in sufficient bulwarks against that wealth which, without the tenfold strength of modern incorporation, wrecked the Grecian and Roman States; and, with a sterner effort still, summon women into civil life as reënforcement to our laboring ranks in the effort to make our civilization a success.

Sit not, like the figure on our silver coin, looking ever backward.

> "New occasions teach new duties;
> Time makes ancient good uncouth;
> They must upward still, and onward,

Who would keep abreast of Truth.
Lo! before us gleam her camp-fires!
We ourselves must Pilgrims be,
Launch our Mayflower, and steer boldly
Through the desperate winter sea,
Nor attempt the Future's portal
With the Past's blood-rusted key."

§ 93

THE LEADERSHIP OF EDUCATED MEN

By George William Curtis

(Delivered before the Alumni of Brown University, Providence, June 20, 1882.)

There is a modern English picture which the genius of Hawthorne might have inspired. The painter calls it, "How they met themselves." A man and a woman, haggard and weary, wandering lost in a somber wood, suddenly meet the shadowy figures of a youth and a maid. Some mysterious fascination fixes the gaze and stills the hearts of the wanderers, and their amazement deepens into awe as they gradually recognize themselves as once they were; the soft bloom of youth upon their rounded cheeks, the dewy light of hope in their trusting eyes, exulting confidence in their springing step, themselves blithe and radiant with the glory of the dawn. To-day, and here, we meet ourselves. Not to these familiar scenes alone—yonder college green with its reverend traditions; the halcyon cove of the Seekonk, upon which the memory of Roger Williams broods like a bird of calm; the historic bay, beating forever with the muffled oars of Barton and of Abraham Whipple; here, the humming city of the living; there, the peaceful city of the dead—not to these only or chiefly do we return, but to ourselves as we once were. It is not the smiling freshmen of the year, it is your own beardless and unwrinkled faces, that are looking from the windows of University Hall and of Hope College. Under the trees upon the hill it is yourselves whom you see walking, full of hopes and dreams, glowing with conscious power, and "nourishing a youth sublime"; and in this familiar temple, which surely has never echoed with eloquence so fervid and inspiring as that of your commencement orations, it is not yonder youths in the galleries who, as they fondly believe, are whispering to yonder maids; it is your younger selves who, in the days that are no more, are murmuring to the fairest mothers and grandmothers of those maids.

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Happy the worn and weary man and woman in the picture could they have felt their older eyes still glistening with that earlier light, and their hearts yet beating with undiminished sympathy and aspiration. Happy we, brethren, whatever may have been achieved, whatever left undone, if, returning to the home of our earlier years, we bring with us the illimitable hope, the unchilled resolution, the inextinguishable faith of youth.

It was as scholars that you were here; it is to the feeling and life of scholars that you return. I mean the scholar not as a specialist or deeply proficient student, not like Darwin, a conqueror greater than Alexander, who extended the empire of human knowledge; nor like Emerson, whose serene wisdom, a planet in the cloudless heaven, lighted the path of his age to larger spiritual liberty; nor like Longfellow, sweet singer of our national springtime, whose scholarship decorated his pure and limpid song as flowers are mirrored in a placid stream—not as scholars like these, but as educated men, to whom the dignity and honor and renown of the educated class are precious, however remote from study your lives may have been, you return to the annual festival of letters. "Neither years nor books," says Emerson, speaking of his own college days, "have yet availed to extirpate a prejudice then rooted in me that a scholar is the favorite of heaven and earth, the excellency *of* his country, the happiest of men."

But every educated man is aware of a profound popular distrust of the courage and sagacity of the educated class. Franklin and Lincoln are good enough for us, exclaims this jealous skepticism; as if Franklin and Lincoln did not laboriously repair by vigorous study the want of early opportunity. The scholar appealing to experience is proudly told to close his books, for what has America to do with experience? as if books were not the ever-burning lamps of accumulated wisdom. When Voltaire was insulted by the London mob, he turned at his door and complimented them upon the nobleness of their national character, their glorious constitution, and their love of liberty. The London mob did not feel the sarcasm. But when I hear that America may scorn experience because she is a law to herself, I remember that a few years ago a foreign observer came to the city of Washington, and said: "I did not fully comprehend your greatness until I saw your Congress. Then I felt that if you could stand that you could stand anything, and I understood the saying that God takes care of children, drunken men, and the United States."

The scholar is denounced as a coward. Humanity falls among thieves, we are told, and the college Levite, the educated Pharisee, pass by on the other side. Slavery undermines the Republic, but the clergy in

America are the educated class, and the Church makes itself the bulwark of slavery. Strong drink slays its tens of thousands, but the educated class leaves the gospel of temperance to be preached by the ignorant and the enthusiast, as the English Establishment left the preaching of regeneration to Methodist itinerants in fields and barns. Vast questions cast their shadows upon the future: the just relations of capital and labor; the distribution of land; the towering power of corporate wealth; reform in administrative methods; but the educated class, says the critic, instead of advancing to deal with them promptly, wisely, and courageously, and settling them as morning dissipates the night, without a shock, leaves them to be kindled to fury by demagogues, lifts a panic cry of communism, and sinks paralyzed with terror. It is the old accusation. Erasmus was the great pioneer of modern scholarship. But in the fierce contest of the Reformation Luther denounced him as a time-server and a coward. With the same feeling, Theodore Parker, the spiritual child of Luther, asked of Goethe, "Tell me, what did he ever do for the cause of man?" and when nothing remained for his country but the dread alternative of slavery or civil war, Parker exclaimed sadly of the class to which he belonged, "If our educated men had done their duty, we should not now be in the ghastly condition we bewail."

Gentlemen, we belong to the accused class. Its honor and dignity are very precious to us. Is this humiliating arraignment true? Does the educated class of America especially deserve this condemnation of political recreancy and moral cowardice? Faithless scholars, laggard colleges, bigoted pulpits, there may be; signal instances you may find of feebleness and pusillanimity. This has been always true. Leigh Hunt said, "I thought that my Horace and Demosthenes gave me a right to sit at table with any man, and I think so still." But when DeQuincey met Dr. Parr, who knew Horace and Demosthenes better than any man of his time, he described him as a lisping scandal-monger, retailing gossip fit only for washerwomen to hear. During the earthquake of the great civil war in England, Sir Thomas Browne sat tranquilly in scholarly seclusion, polishing the conceits of the "Urn Burial," and modulating the long-drawn music of the "Religio Medici." Looking at Browne and Parr, at Erasmus and Goethe, is it strange that scholars are impatiently derided as useless pedants or literary voluptuaries, and that the whole educated class is denounced as feeble and impracticable?

But remember what Coleridge said to Washington Alston, "Never judge a work of art by its defects." The proper comment to make upon recreant scholars is that of Brummell's valet upon the tumbled cambric in his hands, "These are our failures." Luther, impatient of the milder spirit of Erasmus and Colet and Sir Thomas More, might

well have called them our failures, because he was of their class, and while they counseled moderation, his fiery and impetuous soul sought to seize triple-crowned error and drag it from its throne. But Luther was no less a scholar, and stands equally with them for the scholarly class and the heroism of educated men. Even Erasmus said of him with friendly wit, "He has hit the Pope on the crown and the monks on the belly." If the cowled scholars of the Church rejected him, and universities under their control renounced and condemned him, yet Luther is justified in saying, as he sweeps his hand across them and speaks for himself and for the scholars who stood with him, "These are not our representatives; these are our failures."

So on our side of the sea the educated body of Puritan Massachusetts Bay, the clergy and the magistrates, drove Roger Williams from their borders—Roger Williams, also a scholar and a clergyman, and, with John Milton, the bright consummate flower of Puritanism. But shall not he stand for the scholar rather than Cotton Mather, torturing terrified old women to death as witches! I appeal from Philip drunk to Philip sober—from the scholarship that silenced Mrs. Hutchinson and hung Mary Dyer and pressed Giles Corey to death, to the scholarship that argued with George Fox and founded a political commonwealth upon soul-liberty. A year ago I sat with my brethren of the Phi Beta Kappa at Cambridge, and seemed to catch echoes of Edmund Burke's resounding impeachment of Warren Hastings in the sparkling denunciation of the timidity of American scholarship. Under the spell of Burke's burning words Hastings half believed himself to be the villain he heard described. But the scholarly audience of the scholarly orator of the Phi Beta Kappa, with an exquisite sense of relief, felt every count of his stinging indictment recoil upon himself. He was the glowing refutation of his own argument. Gentleman, scholar, orator—his is the courage that never quailed; his the white plume of Navarre that bashed meteor-like in the front of battle; his the Amphion music of an eloquence that leveled the more than Theban walls of American slavery. At once judge, culprit, and accuser, in the noble record of his own life he and his class are triumphantly acquitted.

Must we count such illustrations as exceptions? But how can we do so when we see that the Reformation, the mental and moral new birth of Christendom, was the work of the educated class? Follow the movement of liberty in detail, and still the story is the same. The great political contest in England, inspired by the Reformation, was directed by university men. John Pym in the Commons, John Hampden in the field, John Milton in the Cabinet—three Johns, and all of them well-beloved disciples of liberty—with the grim Oliver himself, purging Eng-

land of royal despotism, and avenging the slaughtered saints on Alpine mountains cold, were all of them children of Oxford and Cambridge. In the next century, like a dawn lurid but bright, the French Revolution broke upon the world. But the only hope of a wise direction of the elemental forces that upheaved France vanished when the educated leadership lost control, and Marat became the genius and the type of the Revolution. Ireland also bears witness. As its apostle and tutelary saint was a scholar, so its long despair of justice has found its voice and its hand among educated Irishmen. Swift and Molyneux, and Flood and Grattan and O'Connell, Duffy, and the young enthusiasts around Thomas Davis who sang of an Erin that never was and dreamed of an Ireland that cannot be, were men of the colleges and the schools, whose long persistence of tongue and pen fostered the life of their country and gained for her all that she has won. For modern Italy, let Silvio Pellico and Foresti and Maroncelli answer. It was Italian education which Austria sought to smother, and it was not less Cavour than Garibaldi who gave constitutional liberty to Italy. When Germany sank at Jena under the heel of Napoleon, and Stein—whom Napoleon hated, but could not appal—asked if national life survived, the answer rang from the universities, and from them modern Germany came forth. With prophetic impulse Theodore Koerner called his poems "The Lyre and the Sword," for, like the love which changed the sea-nymph into the harp, the fervent patriotism of the educated youth of Germany turned the poet's lyre into the soldier's victorious sword. In the splendor of our American day let us remember and honor our brethren, first in every council, dead upon every field of freedom from the Volga to the Rhine, from John o' Groat's to the Adriatic, who have steadily drawn Europe from out the night of despotism, and have vindicated for the educated class the leadership of modern civilization.

Here in America, where as yet there are no ruins save those of ancient wrongs, undoubtedly New England has inspired and molded our national life. But if New England has led the Union, what has led New England? Her scholarly class. Her educated men. And our Roger Williams gave the keynote. "He has broached and divulged new and dangerous opinions against the authority of magistrates," said Massachusetts as she banished him. A century later his dangerous opinions had captured Massachusetts. Young Sam Adams, taking his master's degree at Cambridge, argued that it was lawful to resist the supreme magistrate if the State could not otherwise be preserved. He was a college stripling. But seven years afterward, in 1750, the chief pulpit orator in New England, Jonathan Mayhew, preached in Boston the famous sermon which Thornton called the morning gun of the Revolu-

tion, applying to the political situation the principles of Roger Williams. The New England pulpit echoed and reëchoed that morning gun, arousing the country, and twenty-five years later its warning broke into the rattle of musketry at Lexington and Concord and the glorious thunder of Bunker Hill.

It was a son of Harvard, James Otis, who proposed the assembly of an American congress without asking the king's leave. It was a son of Yale, John Morin Scott, who declared that if taxation without representation were to be enforced, the colonies ought to separate from England. It was a group of New York scholars, John Jay and Scott and the Livingstones, which spoke for the colony in response to the Boston Port Bill and proposed the Continental Congress. It was a New England scholar in that Congress, whom Rufus Choate declared to be the distinctive and comprehensive orator of the Revolution, John Adams, who, urging every argument, touching every stop of passion, pride, tenderness, interest, conscience, and lofty indignation, swept up his country as into a chariot of fire and soared to independence.

I do not forget that Virginian tongue of flame, Patrick Henry, nor that patriotism of the field and fireside which recruited the Sons of Liberty. The inspiring statue of the Minute Man at Concord—and a nobler memorial figure does not stand upon our soil—commemorates the spirit that left the plow standing in the furrow, that drew Nathaniel Greene from his anvil and Esek Hopkins from his farm; the spirit that long before had sent the poor parishioners of Scrooby to Holland, and filled the victorious ranks of the Commonwealth at Naseby and at Marston Moor. But in America as in England they were educated men who were in the pulpit, on the platform, and, through the press, conducted the mighty preliminary argument of the Revolution, defended the ancient traditions of English liberty against reactionary England, aroused the colonists to maintain the cause of human nature, and led them from the Gaspee and Bunker Hill across the plains of Saratoga, the snows of Valley Forge, the sands of Monmouth, the hills of Carolina, until at Yorktown once more the king surrendered to the people, and educated America had saved constitutional liberty.

In the next brief and critical period, when through the travail of a half-anarchical confederation the independent States, always instinctively tending to union, rose into a rural constitutional republic, the good genius of America was still the educated mind of the country. Of the fifty-five members of the Convention, which Bancroft, changing the poet's line, calls "the goodliest fellowship of lawgivers whereof this world holds record," thirty-three were college graduates, and the eight leaders of the great debate were all college men. The Convention ad-

journed, and while from out the strong hand of George Clinton, Hamilton, the son of Columbia, drew New York into the Union, that placid son of Princeton, James Madison, withstanding the fiery energy of Patrick Henry, placed Virginia by her side. Then Columbia and Princeton, uniting in Hamilton, Jay, and Madison, interpreted the Constitution in that greatest of commentaries, which, as the dome crowns the Capitol, completed the majestic argument which long before the sons of Harvard had begun. Take away the scholarly class from the discussion that opened the Revolution, from the deliberations that guided it, from the debates of the Constitutional Convention that ended it—would the advance of America have been more triumphant? Would the guarantees of individual liberty, of national union, of a common prosperity, have been more surely established? The critics laughed at the pictured grapes as unnatural. But the painter was satisfied when the birds came and pecked at them. Daily the educated class is denounced as impracticable and visionary. But the Constitution of the United States is the work of American scholars.

Doubtless the leaders expressed a sentiment which was shared by the men and women around them. But it was they who had formed and fostered that sentiment. They were not the puppets of the crowd, light weathercocks which merely showed the shifting gusts of popular feeling. They did not follow what they could not resist, and make their voices the tardy echo of a thought they did not share. They were not dainty and feeble hermits because they were educated men. They were equal citizens with the rest; men of strong convictions and persuasive speech, who showed their brethren what they ought to think and do. That is the secret of leadership. It is not servility to the mob, it is not giving vehement voice to popular frenzy, that makes a leader. That makes a demagogue; Cleon, not Pericles; Catiline, not Cicero. Leadership is the power of kindling a sympathy and trust which all will eagerly follow. It is the genius that molds the lips of the stony Memnon to such sensitive life that the first sunbeam of opportunity strikes them into music. In a great crisis it is thinking so as to make others think, feeling so as to make others feel, which tips the orator's tongue with fire that lights as well as burns. So when Lord Chatham stood at the head of England organizing her victories by land and sea, and told in Parliament their splendid story, his glowing form was Britain's self, and the roar of British guns and the proud acclamation of British hearts all around the globe flashed and thundered in his eloquence. "This is a glorious morning," said the scholar Samuel Adams, with a price set on his head, as he heard the guns at Lexington. "Decus et decorum est," said the young scholar Joseph Warren gaily, as he passed to his death

on Bunker Hill. They spoke for the lofty enthusiasm of patriotism which they had kindled. It was not a mob, an ignorant multitude swayed by a mysterious impulse; it was a body of educated men, wise and heroic because they were educated, who lifted this country to independence and laid deep and strong the foundations of the Republic.

Is this less true of the maintenance and development of the government? Thirty years ago, walking on the Cliff at Newport with Mr. Bancroft, I asked him to what point he proposed to continue his history. He answered: "If I were an artist painting a picture of this ocean, my work would stop at the horizon. I can see no further. My history will end with the adoption of the Constitution. All beyond that is experiment." This was long ago. But the Republic is an experiment no longer. It has been strained to the utmost along the very vital fiber of its frame, and it has emerged from the ordeal recreated. Happy venerable historian, who has survived both to witness the triumph of the experiment, and to complete his stately story to the very point which he contemplated thirty years ago! He has reached what was then the horizon, and may a gracious Providence permit him yet to depict the new and further and radiant prospect which he and all his countrymen behold!

In achieving this great result has educated America been sluggish or skeptical or cowardly? The Constitution was but ten years old when the author of the Declaration of Independence, speaking with great authority and for a great party, announced that the Constitution was a compact of which every State must judge for itself both the fact of violation and the mode of redress. Jefferson sowed dragon's teeth in the fresh soil of the young Union. He died, but the armed men appeared. The whole course of our politics for nearly a century was essentially revolutionary. Beneath all specific measures and party policies lay the supreme question of the nature of the government which Jefferson had raised. Is the Union a league or a nation? Are we built upon the solid earth or unstably encamped, like Sinbad's company, upon the back of a sea monster which may dive at any moment? Until this doubt was settled there could be no peace. Yet the question lay in our politics only like the far black cloud along the horizon, flashing and muttering scarce heard thunders until the slavery agitation began. That was a debate which devoured every other, until the slave power, foiled in the hope of continental empire, pleaded Jefferson's theory of the Constitution as an argument for national dissolution. This was the third great crisis of the country, and in the tremendous contention, as in the war that followed, was the American scholar recreant and dumb?

I do not ask, for it is not necessary, whether in the ranks of the powerful host that resisted agitation there were not scholars and edu-

cated men. I do not ask whether the educated or any other class alone maintained the fight, nor whether there were not unquailing leaders who were not educated men, nor whether all were first, or all approved the same methods, or all were equally wise or equally zealous. Of course, I make no exclusive claim. I do not now speak of men like Garrison, whose name is that of a great patriot and a great human benefactor, and whose sturdy leadership was that of an old Hebrew prophet. But was the great battle fought and won while we and our guild stood passive and hostile by?

The slavery agitation began with the moral appeal, and as in the dawn of the Revolution educated America spoke in the bugle note of James Otis, so in the moral onset of the antislavery agitation rings out the clear voice of a son of Otis' college, himself the Otis of the later contest, Wendell Phillips. By his side, in the stormy dawn of the movement, stands a grandson of Quincy of the Revolution, and among the earliest antislavery leaders is more than a proportionate part of liberally educated men. In Congress the commanding voice for freedom was that of the most learned, experienced, and courageous of American statesmen, the voice of a scholar and an old college professor, John Quincy Adams. Whittier's burning words scattered the sacred fire, Longfellow and Lowell mingled their songs with his, and Emerson gave to the cause the loftiest scholarly heart in the Union. And while Parker's and Beecher's pulpits echoed Jonathan Mayhew's morning gun and fired words like cannon-balls, in the highest pulpit of America, foremost among the champions of liberty stood the slight and radiant figure of the scholarly son of Rhode Island, upon whom more than upon any of her children the mantle of Roger Williams had worthily fallen, William Ellery Channing.

When the national debate was angriest, it was the scholar of the Senate of the United States who held highest in his undaunted hands the flag of humanity and his country. While others bowed and bent and broke around him, the form of Charles Sumner towered erect. Commerce and trade, the mob of the clubs and of the street, hissed and sneered at him as a pedantic dreamer and fanatic. No kind of insult and defiance was spared. But the unbending scholar revealed to the haughty foe an antagonist as proud and resolute as itself. He supplied what the hour demanded, a sublime faith in liberty, the uncompromising spirit which interpreted the Constitution and the statutes for freedom and not for slavery. The fiery agitation became bloody battle. Still he strode on before. "I am only six weeks behind you," said Abraham Lincoln, the Western frontiersman, to the New England scholar; and along the path that the scholar blazed in the wild wilderness of civil

war, the path of emancipation, and the constitutional equality of all citizens, his country followed fast to union, peace, and prosperity. The public service of this scholar was not less than that of any of his predecessors or any of his contemporaries. Criticize him as you will, mark every shadow you can find,

> "Though round his base the rolling clouds are spread,
> Eternal sunshine settles on his head."

It would indeed be a sorrowful confession for this day and this assembly, to own that experience proves the air of the college to be suffocating to generous thought and heroic action. Here it would be especially unjust, for what son of this college does not proudly remember that when, in the Revolution, Rhode Island was the seat of war, the college boys left the recitation room for the field, and the college became a soldiers' barrack and hospital? And what son of any college in the land, what educated American, does not recall with grateful pride that legion of college youth in our own day—"Integer vitæ scelerisque purus"—who were not cowards or sybarites because they were scholars, but whose consecration to the cause of country and man vindicated the words of John Milton, "A complete and generous education is that which fits a man to perform justly, skilfully, and magnanimously all the offices, both private and public, of peace and war"? That is the praise of the American scholar. The glory of this day and of this commencement season is that the pioneers, the courageous and independent leaders in public affairs, the great apostles of religious and civil liberty, have been, in large part, educated men, sustained by the sympathy of the educated class.

But this is not true of the past alone. As educated America was the constructive power, so it is still the true conservative force of the Republic. It is decried as priggish and theoretical. But so Richard Henry Lee condemned the Constitution as the work of visionaries. They are always called visionaries who hold that morality is stronger than a majority. Goldwin Smith says that Cobden felt that at heart England was a gentleman and not a bully. So thinks the educated American of his own country. He has faith enough in the people to appeal to them against themselves, for he knows that the cardinal condition of popular government is the ability of the people to see and correct their own errors. In a Republic, as the majority must control action, the majority tends constantly to usurp control of opinion. Its decree is accepted as the standard of right and wrong. To differ is grotesque and eccentric. To protest is preposterous. To defy is incendiary and revolutionary. But just here interposes educated intelligence, and asserts the worth of self-reliance

and the power of the individual. Gathering the wisdom of ages as into a sheaf of sunbeams, it shows that progress springs from the minority, and that if it will but stand fast, time will give it victory.

It is the educated voice of the country which teaches patience in politics and strengthens the conscience of the individual citizen by showing that servility to a majority is as degrading as servility to a Sultan or a Grand Lama. Emerson said that of all his friends he honored none more than a quiet old Quaker lady who, if she said yea and the whole world said nay, still said yea. One of the pleasantest stories of Garfield is that of his speech to his constituents in which he quaintly vindicated his own independence. "I would do anything to win your regard," he said, "but there is one man whose good opinion I must have above all, and without whose approval I can do nothing. That is the man with whom I get up every morning and go to bed every night, whose thoughts are my thoughts, whose prayers are my prayers; I cannot buy your confidence at the cost of his respect." Never was the scholarly Garfield so truly a man, so patriotically an American, and his constituents were prouder than ever of their representative who complimented them by asserting his own manhood.

It is the same voice which exposes the sophists who mislead the mob and pitilessly scourges the demagogues who flatter it. "All men know more than any man," haughtily shout the larger and lesser Talleyrands. That is a French epigram, replies the scholar, but not a general truth. A crowd is not wiser than the wisest man in it. For the purposes of the voyage the crew does not know more than the master of the ship. The Boston town meeting was not more sagacious than Sam Adams. "Vox populi vox Dei," screams the foaming rhetoric of the stump; the voice of the people is the voice of God. The voice of the people in London, says history, declared against street lamps and denounced inoculation as wanton wickedness. The voice of the people in Paris demanded the head of Charlotte Corday. The voice of the people in Jerusalem cried, "Away with Him! crucify Him! crucify Him!" "God is on the side of the strongest battalions," sneers the party swindler who buys a majority with money or place. On the contrary, answers the cool critic, reading history and interpreting its lessons, God was with Leonidas, and not with Xerxes. He was with the exile John Robinson at Leyden, not with Laud and the hierarchy at Westminster.

Despite Napoleon even battles are not sums in arithmetic. Strange that a general, half of whose success was due to a sentiment, the glory of France, which welded his army into a thunderbolt, and still burns for us in the fervid song of Béranger, should have supposed that it is numbers and not conviction and enthusiasm which win the final victory.

The career of no man in our time illustrates this truth more signally than Garibaldi's. He was the symbol of the sentiment which the wise Cavour molded into a nation, and he will be always canonized more universally than any other Italian patriot, because no other represents so purely and simply to the national imagination the Italian ideal of patriotic devotion. His enthusiasm of conviction made no calculation of defeat, because while he could be baffled, he could not be beaten. It was a stream flowing from a mountain height, which might be delayed or diverted, but knew instinctively that it must reach the sea. "Italia fará da se." Garibaldi was that faith incarnate, and the prophecy is fulfilled. Italy, more proud than stricken, bears his bust to the capitol, and there the eloquent marble will say, while Rome endures, that one man with God, with country, with duty and conscience, is at last the majority.

But, still further, it is educated citizenship which, while defining the rightful limitation of the power of the majority, is most loyal to its legitimate authority, and foremost always in rescuing it from the treachery of political peddlers and parasites. The rural statesmen who founded the Republic saw in vision a homogeneous and intelligent community, the peace and prosperity and intelligence of the State reflected in the virtue and wisdom of the government. But is this our actual America or a glimpse of Arcadia? Is this the United States or Plato's Republic or Harrington's Oceana or Sir Thomas More's Utopia? What are the political maxims of the hour? In Rome, do as the Romans do? Fight fire with fire. Beat the devil with his own weapons. Take men as they are, and don't affect superior goodness. Beware of the politics of the moon and of Sunday-school statesmanship. This is our current political wisdom and the results are familiar. "This is a nasty State," cries the eager partizan, "and I hope we have done nasty work enough to carry it." "The conduct of the opposition," says another, "was infamous. They resorted to every kind of base and contemptible means, and, thank God, we have beaten them at their own game." The majority is overthrown by the political machinery intended to secure its will. The machinery is oiled by corruption and grinds the honest majority to powder. And it is educated citizenship, the wisdom and energy of men who are classed as prigs, pedants, and impracticables, which is first and most efficient in breaking the machinery and releasing the majority. It was this which rescued New York from Tweed, and which everywhere challenges and demolishes a Tweed tyranny by whatever name it may be known.

Every year at the college commencement the American scholar is exhorted to do his duty. But every newspaper proves that he is doing it. For he is the most practical politician who shows his fellow citizens,

as the wise old sailor told his shipmates, that "God has somehow so fixed the world that a man can afford to do about right." Take from the country at this moment the educated power, which is contemned as romantic and sentimental, and you would take from the army its general, from the ship its compass, from national action its moral mainspring. It is not the demagogue and the shouting rabble; it is the people heeding the word of the thinker and the lesson of experience, which secures the welfare of the American republic and enlarges human liberty. If American scholarship is not in place, it is in power. If it does not carry the election to-day, it determines the policy of to-morrow. Calm, patient, confident, heroic, in our busy and material life it perpetually vindicates the truth that the things which are unseen are eternal. So in the cloudless midsummer sky serenely shines the moon, while the tumultuous ocean rolls and murmurs beneath, the type of illimitable and unbridled power; but, resistlessly marshaled by celestial laws, all the wild waters, heaving from pole to pole, rise and recede, obedient to the mild queen of heaven.

Brethren of Brown, we have come hither as our fathers came, as our children will come, to renew our observation of that celestial law; and here, upon the old altar of fervid faith and boundless anticipation, let us pledge ourselves once more that, as the courage and energy of educated men fired the morning gun and led the contest of the Revolution, founded and framed the Union and, purifying it as with fire, have maintained the national life to this hour, so, day by day, we will do our part to lift America above the slough of mercenary politics and the cunning snares of trade, steadily forward toward the shining heights which the hopes of its nativity foretold.

§ 94

BIG BLUNDERS

By Thomas Dewitt Talmage

Ladies and Gentlemen:—The man who never made a blunder has not yet been born. If he had been he would have died right away. The first blunder was born in Paradise, and it has had a large family of chil-

(Lecture by T. DeWitt Talmage, clergyman, editor, pastor of the Central Presbyterian Church, Brooklyn, N. Y., for thirty years (born in Bound Brook, N. J., January 7, 1832; died in Washington, April 13, 1902), delivered in many lyceum courses during Dr. Talmage's long career as a lecturer. This was the most popular of his various platform discourses.)

dren. Agricultural blunders, commercial blunders, literary blunders, mechanical blunders, artistic blunders, ecclesiastical blunders, moral blunders, and blunders of all sorts; but an ordinary blunder will not attract my attention. It must be large at the girth and great in stature. In other words, it must be a big blunder.

Blunder the first: Multiplicity of occupations. I have a friend who is a very good painter, and a very good poet, and a very good speaker, and he can do a half dozen things well, but he is the exception. The general rule is that a man can do only one thing well. Perhaps there are two things to do. First, find your sphere; secondly, keep it. The general rule is, masons, stick to your trowel; carpenters, stick to your plane; lawyers, stick to your brief; ministers, stick to your pulpit, and don't go off lecturing. [Laughter.] Fireman, if you please, one locomotive at a time; navigator, one ship; professor, one department. The mighty men of all professions were men of one occupation. Thorwaldsen at sculpture, Irving at literature, Rothschild at banking, Forrest at acting, Brunel at engineering, Ross at navigation, "Punch" at joking.

Sometimes a man is prepared by Providence through a variety of occupations for some great mission. Hugh Miller must climb up to his high work through the quarries of Cromarty. And sometimes a man gets prepared for his work through sheer trouble. He goes from misfortune to misfortune, and from disaster to disaster, and from persecution to persecution, until he is ready to graduate from the University of Hard Knocks. I know the old poets used to say that a man got inspiration by sleeping on Mount Parnassus. That is absurd. That is not the way men get inspiration. It is not the man on the mountain, but the mountain on the man, and the effort to throw it off that brings men to the position for which God intended them. But the general rule is that by the time thirty years of age is reached the occupation is thoroughly decided, and there will be success in that direction if it be thoroughly followed. It does not make much difference what you do, so far as the mere item of success is concerned, if you only do it. Brandreth can make a fortune at pills, Adams by expressage, Cooper by manufacturing glue, Genin by selling hats, contractors by manufacturing shoddy, merchants by putting sand in sugar, beet juice in vinegar, chicory in coffee, and lard in butter. One of the costliest dwellings in Philadelphia was built out of eggs. Palaces have been built out of spools, out of toothache drops, out of hides, out of pigs' feet, out of pickles, out of tooth-brushes, out of hose,—h-o-s-e and h-o-e-s,—out of fine-tooth combs, out of water, out of birds, out of bones, out of shells, out of steam, out of thunder and lightning.

The difference between conditions in life is not so much a difference in the fruitfulness of occupations as it is a difference in the endowment

of men with that great and magnificent attribute of stick-to-itiveness. Mr. Plod-on was doing a flourishing business at selling banties, but he wanted to do all kinds of huckstering, and his nice little property took wing of ducks and turkeys and shanghais and flew away. Mr. Loomdriver had an excellent factory on the Merrimac, and made beautiful carpets, but he concluded to put up another kind of factory for the making of shawls, and one day there was a nice little quarrel between the two factories, and the carpets ate up the shawls, and the shawls ate up the carpets, and having succeeded so well in swallowing each other, they turned around and gulped down Mr. Loomdriver.

Blackstone Large-Practice was the best lawyer in town. He could make the most plausible argument and had the largest retainers, and some of the young men of the profession were proud to wear their hair as he did, and to have just as big a shirt-collar. But he concluded to go into politics. He entered that paradise which men call a caucus. He was voted up and he was voted down. He got on the Chicago platform, but a plank broke and he slipped through. He got on the St. Louis platform, but it rocked like an earthquake, and a plank broke and he slipped through. Then, as a circus rider with one foot on each horse whirls round the ring, he puts one foot on the Chicago platform and another foot on the St. Louis platform, and he slipped between, and landing in a ditch of political obliquy, he concluded he had enough of politics. And he came back to his law office, and as he entered covered with the mire, all the briefs from the pigeon-hole rustled with gladness, and Kent's Commentaries and Livingstone's Law Register broke forth in the exclamation: "Welcome home, Honorable Blackstone Large-Practice; Jack-of-all-trades is master of none." [Applause.]

Dr. Bone-Setter was a master in the healing profession. No man was more welcome in anybody's house than this same Dr. Bone-Setter, and the people loved to see him pass and thought there was in his old gig a kind of religious rattle. When he entered the drug store all the medicines knew him, and the pills would toss about like a rattle box, and the quinine would shake as though it had the chills, and the great strengthening plasters unroll, and the soda fountain fizz, as much as to say: "Will you take vanilla or strawberry?" Riding along in his gig one day he fell into a thoughtful mood, and concluded to enter the ministry. He mounted the pulpit and the pulpit mounted him, and it was a long while before it was known who was of the most importance. The young people said the preaching was dry, and the merchant could not keep from making financial calculations in the back part of the psalm-book, and the church thinned out and everything went wrong. Well, one Monday morning Messrs. Plod-on, Loomdriver, Blackstone Large-Practice, and Dr. Bone-

Setter met at one corner of the street, and all felt so low-spirited that one of them proposed to sing a song for the purpose of getting their spirits up. I have forgotten all but the chorus, but you would have been amused to hear how, at the end of all the verses, the voices came in, "Jack-of-all-trades is master of none." [Applause.]

A man from the country districts came to be President of the United States, and someone asked a farmer from that region what sort of a President Mr. So-and-So would make. The reply was: "He's a good deal of a man in our little town, but I think if you spread him out over all the United States he will be mighty thin." So there are men admirable in one occupation or profession, but spread out their energies over a dozen things to do and they are dead failures. Young man, concentrate all your energies in one direction. Be not afraid to be called a man of one idea. Better have one great idea than five hundred little bits of ones. Are you merchants? You will find abundant sweep for your intellect in a business which absorbed the energy of a Lenox, a Stewart, and a Grinnell. Are you lawyers? You will in your grand profession find heights and depths of attainment which tasked a Marshall, and a McLean, and a Story, and a Kent. Are you physicians? You can afford to waste but little time outside of a profession which was the pride of a Rush, a Hervey, a Cooper, and a Sydenham.

Every man is made to fit into some occupation or profession, just as a tune is made to fit a meter. Make up your mind what you ought to be. Get your call straight from the throne of God. We talk about ministers getting a call to preach. So they must. But every man gets a call straight from the throne of God to do some one thing,—that call written in his physical or mental or spiritual constitution,—the call saying: "You be a merchant, you be a manufacturer, you be a mechanic, you be an artist, you be a reformer, you be this, you be that, you be the other thing." And all our success and happiness depend upon our being that which God commands us to be. Remember there is no other person in the world that can do your work. Out of the sixteen hundred millions of the race, not one can do your work. You do your work, and it is done forever. You neglect your work, and it is neglected forever. The man who has the smallest mission has a magnificent mission. God sends no man on a fool's errand. Getting your call straight from the throne of God, and making up your mind what you ought to do, gather together all your opportunities (and you will be surprised how many there are of them), gather them into companies, into regiments, into brigades, a whole army of them, and then ride along the line and give the word of command, "Forward, march!" and no power on earth or in hell can stand before you. I care not what your education is, elaborate or nothing, what your mental caliber

is, great or small, that man who concentrates all his energies of body, mind, and soul in one direction is a tremendous man. [Applause.]

Blunder the next: Indulgence in bad temper. Good humor will sell the most goods, plead the best argument, effect the best cure, preach the best sermon, build the best wall, weave the best carpet. [Applause.] The poorest business firm in town is "Growl, Spitfire & Brothers." They blow their clerks. They insult their customers. They quarrel with the draymen. They write impudent duns. They kick the beggars. The children shy off as they pass the street, and the dogs with wild yelp clear the path as they come. Acrid, waspish, fretful, explosive, saturnine, suddenly the money market will be astounded with the defalcation of Growl, Spitfire & Brothers. Merryman & Warmgrasp were poor boys when they came from the country. They brought all their possessions in one little pack, slung over their shoulders. Two socks, two collars, one jack-knife, a paper of pins, and a hunk of gingerbread which their mother gave them when she kissed them good-by, and told them to be good boys and mind the boss. They smiled and laughed and bowed and worked themselves up higher and higher in the estimation of their employers. They soon had a store on the corner. They were obliging men, and people from the country left their carpet-bags in that store when they came to town. Henceforth when the farmers wanted hardware or clothing or books they went to buy it at the place where their carpet-bags had been treated so kindly. The firm had a way of holding up a yard of cloth and "shining on" it so that plain cassimere would look almost as well as French broadcloth, and an earthen pitcher would glisten like porcelain. Not by the force of capital, but by having money drawer and counting desk and counter and shelves all full of good temper, they rose in society until to-day Merryman & Warmgrasp have one of the largest stores and the most elegant show windows and the finest carriages and the prettiest wives in all the town of Shuttleford.

A melancholy musician may compose a "Dead March," and make harp weep and organ wail; but he will not master a battle march, or with that grand instrument, the organ, storm the castles of the soul as with the flying artillery of light and love and joy until the organ pipes seem filled with a thousand clapping hosannas. A melancholy poet may write a Dante's "Inferno" until out of his hot brain there come streaming up barking Cerberus and wan sprite, but not the chime of Moore's melodies or the roll of Pope's "Dunciad," or the trumpet-call of Scott's "Don Roderick," or the archangelic blast of Milton's "Paradise Lost." A melancholy painter may with Salvator sketch death and gloom and monstrosity. But he cannot reach the tremor of silvery leaf, or the shining of sun through mountain pine, or the light of morning struck through a

foam wreath, or the rising sun leaping on the sapphire battlements with banners of flame, or the gorgeous "Heart of the Andes," as though all the bright colors of earth and heaven had fought a great battle and left their blood on the leaves. [Applause.]

Blunder the next: Excessive amusement. I say nothing against amusement. Persons of your temperament and mine could hardly live without it. I have noticed that a child who has no vivacity of spirit, in after life produces no fruitfulness of moral character. A tree that has no blossoms in the spring will have no apples in the fall. A good game at ball is great sport. The sky is clear. The ground is just right for fast running. The club put off their coats and put on their caps. The ball is round and hard and stuffed with illimitable bounce. Get ready the bats and take your positions. Now, give us the ball. Too low. Don't strike. Too high. Don't strike. There it comes like lightning. Strike! Away it soars, higher, higher. Run! Another base. Faster, Faster. Good! All around at one stroke. [Applause.] All hail to the man or the big boy who invented ball playing. After tea, open the checker-board. Now, look out, or your boy Bob will beat you. With what masterly skill he moves up his men. Look out now, or he will jump you. Sure enough, two of your men gone from the board and a king for Bob. With what cruel pleasure he sweeps the board. What! Only two more men left? Be careful now. Only one more move possible. Cornered sure as fate! and Bob bends over, and looks you in the face with a most provoking banter, and says, "Pop, why don't you move?" [Applause.]

Call up the dogs, Tray, Blanchard, and Sweetheart. A good day for hunting. Get down, Tray, with your dirty feet! Put on powder-flask and shoulder the gun. Over the hill and through the wood. Boys, don't make such a racket, you'll scare the game. There's a rabbit. Squat. Take good aim. Bang! Missed him. Yonder he goes. Sic'em, sic'em! See the fur fly. Got him at last. Here, Tray; here, Tray!

John, get up the bays. All ready. See how the buckles glisten, and how the horses prance, and the spokes flash in the sun. Now, open the gate. Away we go. Let the gravel fly, and the tires rattle over the pavement, and the horses' hoofs clatter and ring. Good roads, and let them fly. Crack the whip. G'long! Nimble horses with smooth roads, in a pleasant day, and no toll-gates—clatter, clatter, clatter. [Applause.]

I never see a man go out with a fishing-rod to sport but I silently say: "May you have a good time, and the right kind of bait, and a basketful of catfish and flounders." I never see a party taking a pleasant ride but I wish them a joyous round, and say, "May the horse not cast a shoe, nor the trace break, and may the horse's thirst not compel them to stop at too many taverns." In a world where God lets His lambs frisk, and His

trees toss, and His brooks leap, and His stars twinkle, and His flowers make love to each other, I know He intended men at times to laugh and sing and sport. The whole world is full of music if we only had ears acute enough to hear it. Silence itself is only music asleep. Out upon the fashion that lets a man smile, but pronounces him vulgar if he makes great demonstration of hilarity. Out upon a style of Christianity that would make a man's face the counter upon which to measure religion by the yard. "All work and no play makes Jack a dull boy," is as true as preaching, and more true than some preaching. "Better wear out than rust out," is a poor maxim. They are both sins. You have no more right to do the one than the other. Recreation is re-creation. But while all this is so, every thinking man and woman will acknowledge that too much devotion to amusement is ruinous. Many of the clergy of the last century lost their theology in a fox chase. Many a splendid business has had its brains kicked out by fast horses. Many a man has smoked up his prospects in Havanas of the best brand. There are battles in life that cannot be fought with sportsman's gun. There are things to be caught that you cannot draw up with a fishing tackle. Even Christopher North, that magnificent Scotchman, dropped a great deal of usefulness out of his sporting jacket. Through excessive amusement many clergymen, farmers, lawyers, physicians, mechanics, and artists have committed the big blunder of their lives. I offer this as a principle: Those amusements are harmless which do not interfere with home duties and enjoyments. Those are ruinous which give one distaste for domestic pleasure and recreation.

When a man likes any place on earth better than his own home, look out! Yet how many men seem to have no appreciation of what a good home is. It is only a few years ago that the twain stood at the marriage altar and promised fidelity till death did them part. Now, at midnight, he is staggering on his way to the home, and as the door opens I see on the face inside the door the shadows of sorrows that are passed, and the shadow of sorrows that are to come. Or, I see her going along the road at midnight to the place where he was ruined, and opening the door and swinging out from under a faded shawl a shriveled arm, crying out in almost supernatural eloquence: "Give him back to me, him of the noble brow and the great heart. Give him back to me!" And the miserabl wretches seated around the table of the restaurant, one of them will come forward, and with bloated hand wiping the intoxicant from the lip, will say, "Put her out!" Then I see her going out on the abutment of the bridge, and looking off upon the river, glassy in the moonlight, and wondering if somewhere under the glassy surface of that river there is not a place of rest for a broken heart. Woe to the man that despoils his home!

Better that he had never been born. I offer home as a preventive, as an inspiration, as a restraint. Floating off from that, beware!

Home! Upon that word there drop the sunshine of boyhood and the shadow of tender sorrows and the reflection of ten thousand fond memories. Home! When I see it in book or newspaper, that word seems to rise and sparkle and leap and thrill and whisper and chant and pray and weep. It glitters like a shield. It springs up like a fountain. It trills like a song. It twinkles like a star. It leaps like a flame. It glows like a sunset. It sings like an angel. And if some lexicographer, urged on by a spirit from beneath, should seek to cast forth that word from the language, the children would come forth and hide it under garlands of wild flowers, and the wealthy would come forth to cover it up with their diamonds and pearls; and kings would hide it under their crowns, and after Herod had hunted its life from Bethlehem to Egypt, and utterly given up the search, some bright, warm day it would flash from among the gems, and breathe from among the coronets, and the world would read it bright and fair, and beautiful, and resonant, as before,—Home! Home! Home!

Blunder the next: The formation of unwise domestic relation. And now I must be very careful. It is so with both sexes. Some of the loveliest women have been married to the meanest men. That is not poetry, that is prose. The queerest man in the Bible was Nabal, but he was the husband of beautiful Abigail. We are prodigal with our compassion when a noble woman is joined to a husband of besotted habits, but in thousands of the homes of our country, belonging to men too stingy to be dissipated, you may find female excellences which have no opportunity for development. If a man be cross and grudgeful and unobliging and censorious in his household, he is more of a pest than if he were dead drunk, for then he could be managed. [Applause.] It is a sober fact which everyone has noticed that thousands of men of good business capabilities have been entirely defeated in life because their domestic relations were not of the right kind. This thought has its most practical bearing on the young who yet have the world before them and where to choose. There is probably no one in this house who has been unfortunate in the forming of the relation I have mentioned; but if you should happen to meet with any married man in such an unfortunate predicament as I have mentioned, tell him I have no advice to give him except to tell him to keep his courage up, and whistle most of the time, and put into practice what the old lady said. She said she had had a great deal of trouble in her time, but she had always been consoled by that beautiful passage of Scripture, the thirteenth verse of the fourteenth chapter of the book of Nicodemus: "Grin and bear it." [Laughter and applause.]

Socrates had remarkable philosophy in bearing the ills of an unfortu-

nate alliance. Xantippe, having scolded him without any evident effect, threw upon him a pail of water. All he did was to exclaim: "I thought that after so much thunder we would be apt to have some rain." [Laughter.] It is hardly possible that a business man should be thriftless if he have a companion always ready to encourage and assist him—ready to make sacrifices until his affairs may allow more opportunity for luxuries. If during the day a man has been harassed and disappointed, hard chased by notes and defrauded, and he find in his home that evening a cheerful sympathy, he will go back next day to his place of business with his courage up, fearless of protests, and able from ten to three o'clock to look any bank full in the face. During the financial panic of 1857 there was many a man who went through unabashed because while down in the business marts he knew that although all around him they were thinking only of themselves, there was one sympathetic heart thinking of him all day long, and willing, if the worst should come, to go with him to a humble home on an unfashionable street, without murmuring, on a sewing-machine to play "The Song of the Shirt." [Applause.] Hundreds of fortunes that have been ascribed to the industry of men bear upon them the mark of a wife's hand. Bergham, the artist, was as lazy as he was talented. His studio was over the room where his wife sat. Every few minutes, all day long, to keep her husband from idleness, Mrs. Bergham would take a stick and thump up against the ceiling, and her husband would answer by stamping on the floor, the signal that he was wide-awake and busy. One-half of the industry and punctuality that you witness every day in places of business is merely the result of Mrs. Bergham's stick thumping against the ceiling. But woe to the man who has an experience anything like the afflicted man, who said that he had during his life three wives—the first was very rich, the second very handsome, and the third an outrageous temper. "So," says he, "I have had 'the world, the flesh, and the devil.'" [Laughter.]

Want of domestic economy has ruined many a fine business. I have known a delicate woman strong enough to carry off her husband's store on her back and not half try. I have known men running the gantlet between angry creditors while the wife was declaring large and unprecedented dividends among milliners' and confectioners' shops. I have known men, as the phrase goes, "With their nose to the grindstone," and the wife most vigorously turning the crank. Solomon says: "A good wife is from the Lord," but took it for granted that we might easily guess where the other kind comes from. [Laughter.] There is no excuse for a man's picking up a rough flint like that and placing it so near his heart, when the world is so full of polished jewels. And let me say, there never was a time since the world stood when there were so many

good and noble women as there are now. And I have come to estimate a man's character somewhat by his appreciation of womanly character. If a man have a depressed idea of womanly character he is a bad man, and there is no exception to the rule. But there have been men who at the marriage altar thought they were annexing something more valuable than Cuba, who have found out that after all they have got only an album, a fashion plate, and a medicine chest. [Laughter and applause.]

Many a man reeling under the blow of misfortune has been held up by a wife's arm, a wife's prayer, a wife's decision, and has blessed God that one was sent from Heaven thus to strengthen him; while many a man in comfortable circumstances has had his life pestered out of him by a shrew, who met him at the door at night, with biscuit that the servant let fall in the fire, and dragging out the children to whom she had promised a flogging as soon as the "old man" came home, to the scene of domestic felicity. And what a case that was, where a husband and wife sat at the opposite ends of the tea-table, and a bitter controversy came up between them, and the wife picked up a teacup and hurled it at her husband's head, and it glanced past and broke all to pieces a beautiful motto on the wall entitled "God bless our happy home!" [Applause.]

There are thousands of women who are the joy and the adornment of our American homes, combining with elegant tastes in the arts and every accomplishment which our best seminaries and the highest style of literature can bestow upon them, an industry and practicality which always insure domestic happiness and properity. Mark you, I do not say they will insure a large number of dollars. A large number of dollars are not necessary for happiness. I have seen a house with thirty rooms in it and they were the vestibule of perdition, and I have seen a home with two rooms in it, and they were the vestibule of heaven. You cannot tell by the size of a man's house the size of his happiness. As Alexander the Great with pride showed the Persian princesses garments made by his own mother, so the women of whom I have been speaking can show you the triumphs of their adroit womanly fingers. They are as expert in the kitchen as they are graceful in the parlor, if need be they go there. And let me say that that is my idea of a lady, one who will accommodate herself to any circumstances in which she may be placed. If the wheel of fortune turn in the right direction, then she will be prepared for that position. If the wheel of fortune turn in the wrong direction (as it is almost sure to do at least once in every man's life), then she is just as happy, and though all the hired help should that morning make a strike for higher wages, they will have a good dinner, anyhow. They know without asking the housekeeper the difference between a washtub and a filter. They never sew on to a coat a licorice-drop for a black button.

[Laughter.] They never mistake a bread-tray for a cradle. They never administer Kellinger's horse liniment for the baby's croup. Their accomplishments are not like honeysuckle at your door, hung onto a light frame easily swayed in the wind, but like unto the flowers planted in the solid earth which have rock under them. These are the women who make happy homes and compel a husband into thriftiness.

Boarding-schools are necessities of society. In very small villages and in regions entirely rural it is sometimes impossible to afford seminaries for the higher branches of learning. Hence, in our larger places we must have these institutions, and they are turning out upon the world tens of thousands of young women splendidly qualified for their positions. But there are, I am sorry to say, exceptional seminaries for young ladies which, instead of sending their students back to their homes with good sense as well as diplomas, despatch them with manners and behavior far from civilized. With the promptness of a police officer they arraign their old-fashioned grandfather for murdering the King's English. Staggering down late to breakfast they excuse themselves in French phrase. The young men who were the girl's friends when she left the farm-house for the city school, come to welcome her home, and they shock her with a hard hand that has been on the plow-handle, or with a broad English which does not properly sound the "r" or mince the "s."

"Things are so awkward, folks so impolite,
They're elegantly painted from morn 'till night."

Once she could run at her father's heel in the cool furrow on the summer day, or with bronzed cheek chase through the meadows gathering the wild flowers which fell at the stroke of the harvesters, while the strong men with their sleeves rolled up looked down at her, not knowing which most to admire, the daisies in her hair or the roses in her cheeks, and saying: "Bless me! Isn't that Ruth gleaning after the reapers?" Coming home with health gone, her father paid the tuition bill, but Madame Nature sent in an account something like this:—

Miss Ophelia Angelina, to Madame Nature, Dr.
To one year's neglect of exercise ..... 15 chills
To twenty nights of late retiring .....75 twitches of the nerves
To several months of improper diet .....A lifetime of dyspepsia

Added up, making in all an exhausted system, chronic neuralgia, and a couple of fits. [Applause.] Call in Dr. Pillsbury and uncork the camphor bottle; but it is too late. What an adornment such a one will be to the house of some young merchant, or lawyer, or mechanic, or farmer.

That man will be a drudge while he lives, and he will be a drudge when he dies.

Blunder the next: Attempting life without a spirit of enthusiasm and enterprise. Over-caution on one side and reckless speculation on the other side must be avoided; but a determined and enthusiastic progress must always characterize the man of thrift. I think there is no such man in all the world as he who is descended from a New England Yankee on the one side and a New York Dutchman on the other. That is royal blood, and will almost invariably give a man prosperity, the Yankee in his nature saying, "Go ahead," and the Dutch in his blood saying, "Be prudent while you do go ahead." The main characteristics of the Yankee are invention and enterprise. The main characteristics of the Dutchman are prudence and firmness, for when he says "Yah" he means "Yah," and you cannot change him. It is sometimes said that Americans are short-lived and they run themselves to pieces. We deny this. An American lives a great deal in a little while—twenty-four hours in ten minutes. [Applause.]

In the Revolutionary War American enterprise was discovered by somebody who, describing the capture of Lord Cornwallis, put in his mouth these words:—

"I thought five thousand men or less
Through all these States might safely pass.
My error now I see too late,
Here I'm confined within this State.
Yes, in this little spot of ground,
Enclosed by Yankees all around,
In Europe ne'er let it be known,
Nor publish it in Askelon,
Lest the uncircumcised rejoice,
And distant nations join their voice.
What would my friends in Britain say?
I wrote them I had gained the day.
Some things now strike me with surprise,
First, I believe the Tory lies.
What also brought me to this plight
I thought the Yankees would not fight.
My error now I see too late,
Here I'm confined within this State.
Yes, in this little spot of ground,
Enclosed by Yankees all around,
Where I'm so cramped and hemmed about,
The devil himself could not get out."

From that time American enterprise has continued developing, sometimes toward the right and sometimes toward the wrong. Men walk faster, think faster, drive faster, lie faster, and swear faster. New sciences have sprung up and carried off the hearts of the people. Phrenology, a science which I believe will yet be developed to a thorough consistency, in its incomplete stage puts its hand on your head, as a musician on a piano, and plays out the entire tune of your character, whether it be a grand march or a jig; sometimes by mistake announcing that there are in the head benevolence, music, and sublimity, when there is about the same amount of intellect under the hair of the subject's head as in an ordinary hair trunk; sometimes forgetting that wickedness and crime are chargeable, not so much to bumps on the head as to bumps on the heart. [Applause.] Mesmerism, an old science, has been revived in our day. This system was started from the fact that in ancient times the devotees of Æsculapius were put to sleep in his temple, a mesmeric feat sometimes performed on modern worshipers. Incurable diseases are said to slink away before the dawn of this science like ghosts at cock-crowing, and a man under its influence may have a tooth extracted or his head amputated without discovering the important fact until he comes to his senses. The operator will compel a sick person in clairvoyant state to tell whether his own liver or heart is diseased, when if his subject were awake he would not be wise enough to know a heart from a liver. If you have had property stolen, on the payment of one dollar—mind that—they will tell you where it is, and who stole it, and even if they do not make the matter perfectly plain, they have bettered it; it does not all remain a mystery; you know where the dollar went.

There are aged men and women here who have lived through marvelous changes. The world is a very different place from what it was when you were boys and girls. The world's enterprise has accomplished wonders in your age. The broad-brimmed hat of olden times was an illustration of the broad-bottomed character of the father, and the modern hat, rising high up as the pipe of a steam engine, illustrates the locomotive in modern character. In those days of powdered hair and silver shoe buckles, the coat extended over an immense area and would have been unpardonably long had it not been for the fact that when the old gentleman doffed the garment it furnished the whole family of boys with a Sunday wardrobe. [Laughter.] Grandfather on rainy days shelled corn or broke flax in the barn, and in the evening with grandmother went round to visit a neighbor where the men sat smoking their pipes by a jambs of the broad fireplace, telling of a fox chase, or feats at mowing without once getting bushed, and gazing upon the flames as they sissed and simmered around the great back-log, and leaped up through the light wood to lick off the moss, and

shrugging their shoulders satisfactorily as the wild night wind screamed round the gable, and clattered the shutters, and clicked the icicles from the eaves; and Tom brought in a blue-edged dish of great "Fall pippins," and "Dairclaushes," and "Henry Sweets," and "Grannywinkles," and the nuts all lost their hearts sooner than if the squirrels were there; and the grandmothers talking and knitting, talking and knitting, until John in tow pants, or Mary in linsey-woolsey, by shaking the old lady's arm for just one more "Grannywinkle," made her most provokingly drop a stitch, and forthwith the youngsters were despatched to bed by the starlight that dripped through the thatched garret chinks. [Applause.]

Where is now the old-fashioned fireplace where the andirons in a trilling duet sang "Home, Sweet Home," while the hook and trammels beat time? In our country houses great solemn stoves have taken their place, where dim fires, like pale ghosts, look out of the isinglass, and from which comes the gassy breath of coal, instead of the breath of mountain oak and sassafras. One icicle frozen to each chair and sofa is called a sociable, and the milk of human kindness is congealed into society—that modern freezer warranted to do it in five minutes.

You have also witnessed a change in matters of religion. I think there is more religion now in the world than there ever was, but people sometimes have a queer way of showing it. For instance, in the matter of church music. The musical octave was once an eight-rung ladder, on which our old fathers could climb up to heaven from their church pew. Now, the minstrels are robbed every Sunday.

But, oh, what progress in the right direction. There goes the old stage-coach hung on leather suspenders. Swing and bounce. Swing and bounce. Old gray balky, and sorrel lame. Wheel fast in the rut, "All together, yo heave!" On the morning air you heard the stroke of the reaper's rifle on the scythe getting ready to fight its way through the swaths of thick set meadow grass. Now we do nearly all these things by machinery. A man went all the way from New York to Buffalo on an express train, and went so rapidly that he said in all the distance he saw but two objects: Two haystacks, and they were going the other way. The small particles of iron are taken from their bed and melted into liquid, and run out into bars, and spread into sheets, and turned into screws, and the boiler begins to groan, and the valves to open, and the shafts to fly, and the steamboats going "Tschoo! Tschoo! Tschoo!" shoots across the Atlantic, making it a ferry, and all the world one neighborhood. In olden times they put out a fire by buckets of water or rather did not put it out. Now, in nearly all our cities we put out a fire by steam. But where they haven't come to this, there still has been great improvement. Hark! There is a cry in the street: "Fire! Fire!" The firemen are coming, and they front

the building, and they hoist the ladders, and they run up with the hose, and the orders are given, and the engines begin to work, and beat down the flames that smote the heavens. And the hook and ladder company with long arms of wood and fingers of iron begin to feel on the top of the hot wall and begin to pull. She moves! She rocks! Stand from under! She falls! flat as the walls of Jericho at the blast of the ram's horns, and the excited populace clap their hands, and wave their caps, shouting "Hurrah, hurrah!" [Applause.]

Now, in an age like this, what will become of a man if in every nerve and muscle and bone he does not have the spirit of enthusiasm and enterprise? Why, he will drop down and be forgotten, as he ought to be. He who cannot swim in this current will drown. Young man, make up your mind what you ought to be, and then start out.

And let me say, there has never been so good a time to start as just now. I care not which way you look, the world seems brightening. Open the map of the world, close your eyes, swing your finger over the map of the world, let your finger drop accidentally, and I am almost sure it will drop on a part of the world that is brightening. You open the map of the world, close your eyes, swing your finger over the map, it drops accidentally. Spain! Quitting her cruelties and coming to a better form of government. What is that light breaking over the top of the Pyrenees? "The morning cometh!" You open the map of the world again, close your eyes, and swing your finger over the map. It drops accidentally. Italy! The truth going on from conquest to conquest. What is that light breaking over the top of the Alps? "The morning cometh!" You open the map of the world again, you close your eyes, and swing your finger over the map, and your finger drops accidentally. India! Juggernauts of cruelty broken to pieces by the chariot of the Gospel. What is that light breaking over the tops of the Himalayas? "The morning cometh!" The army of Civilization and Christianity is made up of two wings, the English wing and the American wing. The American wing of the army of Civilization and Christianity will march across this continent. On over the Rocky Mountains, on over the Sierra Nevada, on to the beach of the Pacific, and then right through, dry shod, to the Asiatic shore. And on across Asia, and on, and on, until it comes to the Holy Land and halts. The English wing of the army of Civilization and Christianity will move across Europe, and on, until it comes to the Holy Land and halts. And when these two wings of the army of Civilization and Christianity shall confront each other, having encircled the world, there will go up a shout as the world heard never: "Hallelujah, for the Lord God Omnipotent reigneth!" [Applause.]

People who have not seen the tides rise at the beach do not understand

them. Some man who has never before visited the seashore comes down as the tide is rising. The wave comes to a certain point and then retreats, and he says: "The tide is going out, the sea is going down." No, the tide is rising, for the next wave comes to a higher point and then recoils. He says: "Certainly, the tide is going out, and the sea is going down." No, the tide is rising, for the next wave comes to a higher point and then recoils, and to a higher and higher and higher point until it is full tide. So with the advance of Civilization and Christianity in the world. In one decade the wave comes to a certain point and then recoils for ten or fifteen years, and people say the world is getting worse, and the tides of Civilization and Christianity are going down. No, the tide is rising, for the next time the wave reaches to a still higher point and recoils, and to a still higher point and recoils, and to a higher and a higher and a higher point until it shall be full tide, and the "Earth shall be full of the knowledge of God as the waters fill the sea." At such a time you start out. There is some special work for you to do.

I was very much thrilled, as I suppose you were, with the story of the old engineer on his locomotive crossing the Western prairie day after day and month after month. A little child would come out in front of her father's cabin and wave to the old engineer and he would wave back again. It became one of the joys of the old engineer's life, this little child coming out and waving to him and he waving back. But one day the train was belated and night came on, and by the flash of the headlight of the locomotive the old engineer saw the child on the track. When the engineer saw the child on the track a great horror froze his soul, and he reversed the engine and leaped over on the cowcatcher, and though the train was slowing up, and slowing up, it seemed to the old engineer as if it were gaining in velocity. But, standing there on the cowcatcher, he waited for his opportunity, and with almost supernatural clutch he seized her and fell back upon the cowcatcher. The train halted, the passengers came around to see what was the matter, and there lay the old engineer on the cowcatcher, fainted dead away, the little child in his arms all unhurt.

He saved her. Grand thing, you say, for the old engineer to do. Yes, just as grand a thing for you to do. There are long trains of disaster coming on toward that soul. Yonder are long trains of disaster coming on toward another soul. You go out in the strength of the Eternal God and with supernatural clutch save someone, some man, some woman, some child. You can do it.

"Courage, brother, do not stumble,
Though thy path be dark as night;

There's a star to guide the humble;
Trust in God and do the right.

"Some will love thee, some will hate thee,
Some will flatter, some will slight;
Cease from man, and look above thee;
Trust in God and do the right."

§ 95

THE TRAINING OF INTELLECT

By Woodrow Wilson

(An address before the Phi Beta Kappa Society of Yale University in 1908.)

Mr. Toastmaster, Mr. President, and Gentlemen:—I must confess to you that I came here with very serious thoughts this evening, because I have been laboring under the conviction for a long time that the object of a university is to educate, and I have not seen the universities of this country achieving any remarkable or disturbing success in that direction. I have found everywhere the note which I must say I have heard sounded once or twice to-night—that apology for the intellectual side of the university. You hear it at all universities. Learning is on the defensive, is actually on the defensive, among college men, and they are being asked by way of indulgence to bring that also into the circle of their interests. Is it not time we stopped asking indulgence for learning and proclaimed its sovereignty? Is it not time we reminded the college men of this country that they have no right to any distinctive place in any community, unless they can show it by intellectual achievement? That if a university is a place for distinction at all it must be distinguished by the conquests of the mind? I for my part tell you plainly that that is my motto, that I have entered the field to fight for that thesis, and that for that thesis only do I care to fight.

The toastmaster of the evening said, and said truly, that this is the season when, for me, it was most difficult to break away from regular engagements in which I am involved at this time of the year. But when I was invited to the Phi Beta Kappa banquet it had an unusual sound, and I felt that that was the particular kind of invitation which it was my duty and privilege to accept. One of the problems of the American university now is, how, among a great many other competing interests, to give places of distinction to men who want places of distinction in

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the classroom. Why don't we give you men the Y here and the P at Princeton, because, after all, you have done the particular thing which distinguishes Yale? Not that these other things are not worth doing, but they may be done anywhere. They may be done in athletic clubs where there is no study, but this thing can be done only here. This is the distinctive mark of the place.

A good many years ago, just two weeks before the mid-year examinations, the faculty of Princeton was foolish enough to permit a very unwise evangelist to come to the place and to upset the town. And while an assisting undergraduate was going from room to room one undergraduate secured his door and put this notice out: "I am a Christian and am studying for examinations." Now I want to say that that is exactly what a Christian undergraduate would be doing at that time of the year. He would not be attending religious meetings no matter how beneficial it would be to him. He would be studying for examinations not merely for the purpose of passing them, but from his sense of duty.

We get a good many men at Princeton from certain secondary schools who say a great deal about their earnest desire to cultivate character among our students, and I hear a great deal about character being the object of education. I take leave to believe that a man who cultivates his character consciously will cultivate nothing except what will make him intolerable to his fellow men. If your object in life is to make a fine fellow of yourself, you will not succeed, and you will not be acceptable to really fine fellows. Character, gentlemen, is a by-product. It comes, whether you will or not, as a consequence of a life devoted to the nearest duty, and the place in which character would be cultivated, if it be a place of study, is a place where study is the object and character the result.

Not long ago a gentleman approached me in great excitement just after the entrance examinations. He said we had made a great mistake in not taking so and so from a certain school which he named. "But," I said, "he did not pass the entrance examinations." And he went over the boy's moral excellencies again. "Pardon me," I said, "you do not understand. He did not pass the entrance examinations. Now," I said, "I want you to understand that if the angel Gabriel applied for admission to Princeton University and could not pass the entrance examinations, he would not be admitted. He would be wasting his time." It seemed a new idea to him. This boy had come from a school which cultivated character, and he was a nice, lovable fellow with a presentable character. Therefore, he ought to be admitted to any university. I fail to see it from this point of view, for a university is an institution of purpose. We have in some previous years had pity for young gentle-

men who were not sufficiently acquainted with the elements of a preparatory course. They have been dropped at the examinations, and I always felt that we have been guilty of an offense, and have made their parents spend money to no avail and the youngsters spend their time to no avail. And so I think that all university men ought to rouse themselves now and understand what is the object of a university. The object of a university is intellect; as a university its only object is intellect. As a body of young men there ought to be other things, there ought to be diversions to release them from the constant strain of effort, there ought to be things that gladden the heart and moments of leisure, but as a university the only object is intellect.

The reason why I chose the subject that I am permitted to speak upon to-night—the function of scholarship—was that I wanted to point out the function of scholarship not merely in the university, but in the nation. In a country constituted as ours is, the relation in which education stands is a very important one. Our whole theory has been based upon an enlightened citizenship and therefore the function of scholarship must be for the nation as well as for the university itself. I mean the function of such scholarship as undergraduates get. That is not a violent amount in any case. You cannot make a scholar of a man except by some largeness of Providence in his makeup, by the time he is twenty-one or twenty-two years of age. There have been gentlemen who have made a reputation by twenty-one or twenty-two, but it is generally in some little province of knowledge, so small that a small effort can conquer it. You do not make scholars by that time; you do not often make scholars by seventy that are worth boasting of. The process of scholarship, so far as the real scholar is concerned, is an unending process, and knowledge is pushed forward only a very little by his best efforts. And it is evident, of course, that the most you can contribute to a man in his undergraduate years is not equipment in the exact knowledge which is characteristic of the scholar, but an inspiration of the spirit of scholarship. The most that you can give a youngster is the spirit of the scholar.

Now, the spirit of the scholar in a country like ours must be a spirit related to the national life. It cannot, therefore, be a spirit of pedantry. I suppose that this is a sufficient working conception of pedantry to say that it is knowledge divorced from life. It is knowledge so closeted, so desecrated, so stripped of the significances of life itself, that it is a thing apart and not connected with the vital processes in the world about us.

There is a great place in every nation for the spirit of scholarship, and it seems to me that there never was a time when the spirit of scholar-

ship was more needed in affairs than it is in this country at this time.

We are thinking just now with our emotions and not with our minds; we are moved by impulse and not by judgment. We are drawing away from things with blind antipathy. The spirit of knowledge is that you must base your conclusions on adequate grounds. Make sure that you are going to the real sources of knowledge, discovering what the real facts are, before you move forward to the next process, which is the process of clear thinking. By clear thinking I do not mean logical thinking. I do not mean that life is based upon any logical system whatever. Life is essentially illogical. The world is governed now by a tumultuous sea of commonalities made up of passions, and we should pray God that the good passions should outvote the bad passions. But the movement of impulse, of motive, is the stuff of passion, and therefore clear thinking about life is not logical, symmetrical thinking, but it is interpretative thinking, thinking that sees the secret motive of things, thinking that penetrates deepest places where are the pulses of life.

Now scholarship ought to lay these impulses bare just as the physician can lay bare the seat of life in our bodies. That is not scholarship which goes to work upon the mere formal pedantry of logical reasoning, but that *is* scholarship which searches for the heart of a man. The spirit of scholarship gives us catholicity of thinking, the readiness to understand that there will constantly swing into our ken new items not dreamed of in our systems of philosophy, not simply to draw our conclusions from the data that we have had, but that all this is under constant mutation, and that therefore new phases of life will come upon us and a new adjustment of our conclusions will be necessary. Our thinking must be detached and disinterested thinking.

The particular objection that I have to the undergraduate forming his course of study on his future profession is this: that from start to finish, from the time he enters the university until he finishes his career, his thought will be centered upon particular interests. He will be immersed in the things that touch his profit and loss, and a man is not free to think inside that territory. If his bread and butter is going to be affected, if he is always thinking in the terms of his own profession, he is not thinking for the nation. He is thinking for himself, and whether he be conscious of it or not, he can never throw these trammels off. He will only think as a doctor, or a lawyer, or a banker. He will not be free in the world of knowledge and in the circle of interests which make up the great citizenship of the country. It is necessary that the spirit of scholarship should be a detached, disinterested spirit, not immersed in a particular interest. That is the function of scholarship in a country like ours, to supply not heat, but light, to suffuse things with

the calm radiance of reason, to see to it that men do not act hastily, but that they act considerately, that they obey the truth whether they know it or not. The fault of our age is the fault of hasty action, of premature judgments, of a preference for ill-considered action over no action at all. Men who insist upon standing still and doing a little thinking before they do any acting are called reactionaries. They want actually to react to a state in which they can be allowed to think. They want for a little while to withdraw from the turmoil of party controversy and see where they stand before they commit themselves and their country to action from which it may not be possible to withdraw.

The whole fault of the modern age is that it applies to everything a false standard of efficiency. Efficiency with us is accomplishment, whether the accomplishment be by just and well-considered means or not; and this standard of achievement it is that is debasing the morals of our age, the intellectual morals of our age. We do not stop to do things thoroughly; we do not stop to know why we do things. We see an error and we hastily correct it by a greater error; and then go on to cry that the age is corrupt.

And so it is, gentlemen, that I try to join the function of the university with the great function of the national life. The life of this country is going to be revolutionized and purified only when the universities of this country wake up to the fact that their only reason for existing is intellect, that the objects that I have set forth, so far as undergraduate life is concerned, are the only legitimate objects. And every man should crave for his university primacy in these things, primacy in other things also if they may be brought in without enmity to it, but the sacrifice of everything that stands in the way of that.

For my part, I do not believe that it is athleticism which stands in the way. Athletics have been associated with the achievements of the mind in many a successful civilization. There is no difficulty in uniting vigor of body with achievement of mind, but there is a good deal of difficulty in uniting the achievement of the mind with a thousand distracting social influences, which take up all our ambitions, which absorb all our thoughts, which lead to all our arrangements of life, and then leave the university authorities the residuum of our attention, after we are through with the things that we are interested in. We absolutely changed the whole course of study at Princeton and revolutionized the methods of instruction without rousing a ripple on the surface of the alumni. They said those things are intellectual, they were our business. But just as soon as we thought to touch the social part of the university, there was not only a ripple, but the whole body was torn to its depths. We had touched the real things. These lay in triumphal competition with

the province of the mind, and men's attention was so absolutely absorbed in these things that it was impossible for us to get their interest enlisted on the real undertakings of the university itself.

Now that is true of every university that I know anything about in this country, and if the faculties in this country want to recapture the ground that they have lost, they must begin pretty soon, and they must go into the battle with their bridges burned behind them so that it will be of no avail to retreat. If I had a voice to which the university men of this country might listen, that is the endeavor to which my ambition would lead me to call.

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